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PUBLIC-LOCAL LAWS

ENACTED BY THE

General Assembly

AT ITS

Session of 1937

BEGUN AND HELD IN THE CITY OF RALEIGH

ON

WEDNESDAY, THE SIXTH DAY OF JANUARY, A.D. 1937

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CAPTIONS OF THE PUBLIC-LOCAL LAWS SESSION 1937

CHAP.	PAGE
1. An Act to regulate the Grand Jury of Wayne County, North Carolina	1
2. An Act to repeal Chapter two of the Public Local Laws of one thousand nine hundred and thirty-five and to safeguard the public funds of Ashe County.....	1
3. An Act to permit the County Commissioners of Lincoln County to sell certain lands belonging to the county.....	2
4. An Act to create a sinking fund commission for Buncombe County and certain bodies politic and municipal corporations therein, and to define the powers and duties thereof.....	3
5. An Act pertaining to the duties and salaries of public officers of Northampton County	6
6. An Act to further amend Chapter two hundred and nine of the Private Laws of one thousand nine hundred and seven amending the charter of the City of Rocky Mount authorizing the construction and operation of a municipal gymnasium and validating bonds issued for the purpose of securing funds for its construction	8
7. An Act to regulate the Grand Jury of Mecklenburg County, North Carolina	10
8. An Act to enable the County of New Hanover and the City of Wilmington to make proper provision for the maintenance of the indigent sick and afflicted poor.....	10
9. An Act relating to the issuance of two hundred thousand (\$200,-000) dollars refunding bonds of Wayne County.....	12
10. An Act to postpone the foreclosure of tax sales certificates in Macon County	14
11. An Act to relieve the tax payers of Beaufort County in the political sub-divisions therein	14
12. An Act to extend the time for instituting foreclosure proceedings on certificates of sale for land sold for taxes for the year one thousand nine hundred and thirty-three in Camden County.....	15
13. An Act to validate certain bonds of the Town of Rockingham and authorizing the issuance of refunding and funding bonds of said town	15

CHAP.	PAGE
14. An Act to allow the City of Greensboro to release any interest it may have in certain lands situate in Guilford County, North Carolina	16
15. An Act creating a department of civil service for the City of Asheville, North Carolina.	17
16. An Act to extend the time for instituting foreclosure proceedings on certificates of sale for land sold for taxes for the years one thousand nine hundred and thirty-one, one thousand nine hundred and thirty-two and one thousand nine hundred and thirty-three by the Town of Bessemer City	21
17. An Act to fix the salary of the office of deputy constable of Asheville Township, Buncombe County, North Carolina.....	22
18. An Act validating payments of money heretofore made by North Carolina real estate commission and to pay its current bills, etc.	22
19. An Act to authorize the governing body of the Town of Black Mountain to adjust or cancel paving and other assessments against property in said town.....	23
20. An Act relative to the terms of superior court in Bladen County	24
21. An Act to amend the charter of the Town of Weldon, in Halifax County	25
22. An Act relating to the jurisdiction of Recorders' Courts in Robeson County	25
23. An Act to extend the time for the institution of actions to foreclose upon tax sales certificates of land sold for drainage taxes embraced within the boundaries of Pasquotank Drainage District number one, Pasquotank County	27
24. An Act relating to certain fees to be allowed the jailer of Macon County	27
25. An Act to amend chapter eighty-one, Public-Local Laws of one thousand nine hundred and twenty-five, relative to compensation for services of the Deputy Clerk of Superior Court of Warren County	28
26. An Act to validate all sales for taxes made by the Sheriff of Chatham County for the years one thousand nine hundred thirty-three, one thousand nine hundred thirty-four and one thousand nine hundred thirty-five	28
27. An Act to permit the Board of County Commissioners of Guilford County and the County Board of Education to make certain changes in the use of the proceeds of bonds issued for school purposes	29

CHAP.	PAGE
28. An Act to amend House Bill thirty-three, entitled "An Act to postpone the foreclosure of tax sales certificates in Macon County," ratified January twenty-second, one thousand nine hundred and thirty-seven	31
29. An Act to amend Chapter twenty-eight of the Public-Local Laws, session one thousand nine hundred and thirty-one, entitled "An Act to place the officers of Graham County on salary and for other purposes."	32
30. An Act to amend section one hundred and fifty-eight of Chapter three hundred and forty-two of the Private Laws of one thousand nine hundred and seven, entitled "An Act to amend, revise and consolidate the statutes that constitute the Charter of the City of Charlotte."	33
31. An Act to repeal chapter three hundred seventy-eight of the Public-Local Laws of one thousand nine hundred thirty-one relating to Deputy Sheriffs of Union County and giving to the Board of County Commissioners of Union County discretion in allowing the Sheriff additional Deputies	34
32. An Act amending the charter of the City of Asheville	35
33. An Act to extend the time of foreclosure of tax sales certificates held by the Town of Maysville, in Jones County	35
34. An Act to create a jury commission for the County of Macon.....	36
35. An Act to repeal chapter two hundred and twenty-four, Public-Local Laws one thousand nine hundred and twenty-nine, designating the banks of Duplin County a depository for the funds of Duplin County, and authorizing and empowering the board of County Commissioners to designate a depository or depositories for the funds of Duplin County.....	37
36. An Act to amend Chapter four hundred of the Public-Local Laws of one thousand nine hundred and thirty-five entitled "An Act to divide Martin County into five districts, from each of which shall be elected a member of the Board of County Commissioners."	38
37. An Act to amend Chapter eighty-four, private laws one thousand eight hundred eighty-five, it being an act to amend the charter of the Town of Aulander, relative to power of town officers to buy and sell property.....	39
38. An Act to validate Town of Aulander tax sales for one thousand nine hundred thirty-five and one thousand nine hundred thirty-six	39
39. An Act to validate the acts of the commissioners and tax collector of the Town of Aulander in accepting town bonds in payment of taxes and paving assessments and to allow taxes and paving assessments for one thousand nine hundred thirty-four, and prior, to be paid with bonds.....	40

CHAP.	PAGE
40. An Act to provide for a tax collector for Union County and authorizing the county commissioners of said county to fix the salary of said Tax Collector.....	41
41. An Act to authorize the Board of Commissioners of Columbus County to issue bonds for the purpose of building and equipping a county home, subject to an election to be held for such purpose	42
42. An Act to vest title to the public landing on Roanoke River in Warren Neck in the Commissioners of Martin County and to authorize the sale of same	44
43. An Act to validate and provide for the funding of certain outstanding notes of the City of Salisbury.....	45
44. An Act to allow baseball on Sunday in Camden County for which an admission fee is to be charged.....	46
45. An Act validating proceedings heretofore adopted by Brunswick County, North Carolina, for the authorization of the Refunding Bonds and Funding Bonds of said County, validating the bonds to be issued pursuant to such proceedings and the indebtedness refunded and funded by the issuance of said bonds, providing for the issuance and payment of said refunding and funding bonds and providing that this Act shall take immediate effect.	46
46. An Act to prohibit the operation of pool rooms and public dance halls, and the sale of beer, wine, and other alcoholic beverages within three miles of the center of the Town of Salemburg in Sampson County	43
47. An Act to place the Clerk of the Superior Court of Cherokee County on a salary and to fix said salary.....	43
48. An Act to authorize, direct and require the Clerk of the Court of Duplin County to pay all Solicitor Fees collected in all cases tried in the General County Court to the County Treasurer for credit of the County Fund.....	49
49. An Act to repeal Chapter five hundred and forty-one Public-Local Laws, one thousand nine hundred and twenty-three, relating to prohibition enforcement in Caswell County.....	49
50. An Act to repeal Chapter two hundred and fifty-eight, Public-Local Laws, one thousand nine hundred and twenty-five, relating to prohibition enforcement in Caswell County.....	50
51. An Act to amend Chapter four hundred and sixty-six, Public-Local Laws, one thousand nine hundred and twenty-seven, relating to enforcement of prohibition laws in Caswell County	50
52. An Act to validate certain sales of land for taxes in Craven County and certificates issued in pursuance thereof.....	51

CHAP.

PAGE

53. An Act to validate all proceedings relative to the creation and organization of sanitary districts in Caswell County, and to validate all bonds authorized by referendum in said districts.....	51
54. An Act relating to the fees for registering Federal Crop Liens and Federal Chattel Mortgages in Hoke County.....	52
55. An Act to provide for the payment of certain moneys to be paid direct to the City Administrative Units of Morganton and Glen Alpine by the Board of County Commissioners of Burke County.....	53
56. An Act to regulate the Grand Jury of Harnett County.....	54
57. An Act to fix the fees of Jurors in the Superior and General County Courts of Buncombe County.....	55
58. An Act to amend Chapter five hundred ten, Public-Local Laws of one thousand nine hundred thirty-five, relating to appointment of Plumbing Inspector for New Hanover County.....	55
59. An Act authorizing the Commissioners of Martin County and the Governing Body of the Municipalities in Martin County to extend the time of sale for delinquent taxes to the first Monday in December of each year	56
60. An Act relative to Monroe Municipal Park and Police Jurisdiction of Monroe Police Officers.....	57
61. An Act to authorize the Board of County Commissioners of Pasquotank County to employ the Register of Deeds of said County to act as Clerk to said Board.....	58
62. An Act to amend Chapter thirty-nine Public-Local Laws of one thousand nine hundred thirty-one with respect to the Clerical Assistants allowed the Register of Deeds of Union County, North Carolina	58
63. An Act relating to the duties of the Board of Education of Northampton County relative to investment of funds derived from sale of school property.....	59
64. An Act to amend Section one of chapter one hundred and thirty-eight of the Public-Local Laws of one thousand nine hundred and nineteen, adding an active dairyman to the joint Board of Health for the County of Wake and the City of Raleigh.....	59
65. An Act to amend the Charter of the City of High Point, relating to revenue-producing undertaking	60
66. An Act to amend Chapter one hundred and fifty-seven Public-Local Laws one thousand nine hundred and thirty-five being "An Act to provide for registration of pistols and similar firearms by owners thereof in Durham County," so that same shall apply to Alamance County.....	61

CHAP.	PAGE
67. An Act to amend the Charter of the City of Roanoke Rapids in Halifax County, to extend its Corporate Limits and to provide for its Government and for other purposes.....	61
68. An Act to Prohibit the sale of Fireworks in Buncombe County.....	64
69. An Act to repeal Chapter sixty-two of the Public-Local Laws of one thousand nine hundred and thirty-one and to appoint three Commissioners for Avery County.....	65
70. An Act to relieve the Taxpayers of New Hanover County of penalties	66
71. An Act to incorporate Monroe Park and Recreation Commission in the City of Monroe, North Carolina.....	66
72. An Act to repeal the Statutes creating the Board of Financial Control for Buncombe County and to create a Board of Tax Supervision for Buncombe County; to create certain offices and define the powers and duties thereof.....	69
73. An Act to regulate the pay for Jurors in Harnett County.....	78
74. An Act to amend Chapter three hundred and two, Private Laws one thousand nine hundred and thirteen relating to the Charter of the Town of Oxford	79
75. An Act to create a Tax Commission for Catawba County.....	80
76. An Act authorizing the County Commissioners of Brunswick County and the City Commissioners of the City of Southport, North Carolina, to make adjustments with delinquent taxpayers.....	83
77. An Act extending the time for the issuance of Refunding and Funding Bonds of the Town of Elkin and amending Chapter two hundred fifty-eight, Private Laws, one thousand nine hundred thirty-five	83
78. An Act to amend Chapter one hundred forty-one of the Public-Local Laws of one thousand nine hundred and twenty-five entitled, "An Act to create the office of Purchasing Agent, Tax Supervisor, and Bookkeeper for Surry County," and Chapter four hundred twenty-three of the Public-Local Laws of one thousand nine hundred and thirty-five entitled "An Act to create the office of Tax Collector for Surry County, and to provide for the collection of county taxes, and other taxes and levies now and heretofore devolving upon the Sheriff of Surry County."	84
79. An Act to repeal Chapter two hundred and fourteen, Private Laws of one thousand nine hundred and twenty-one, relative to the Board of Cemetery Commissioners for the Town of Dunn.....	86

CHAP.

PAGE

80. An Act to authorize the Board of Commissioners of Alexander County, in their discretion, to authorize the Sheriff of Alexander County to employ two Deputy Sheriffs and to prescribe their compensation	87
81. An Act to provide for the election of the Auditor of Pender County	88
82. An Act creating five districts in Northampton County for the nomination and election of the County Commissioners of said County	88
83. An Act to amend the Act entitled "An Act to create a Sinking Fund Commission for Buncombe County and certain bodies politic and Municipal Corporations therein, and to define the powers and duties thereof," ratified by the General Assembly of North Carolina January eighteenth, one thousand nine hundred thirty-seven	89
84. An Act relating to the fees of the Sheriff of Cherokee County.....	90
85. An Act to re-enact Chapter two hundred and one of the Private Laws of one thousand nine hundred and thirty-five relating to the issue of Bonds by the Town of Lincolnton, same being "An Act to authorize the Board of Aldermen of the Town of Lincolnton to issue bonds to pay its indebtedness.".....	92
86. An Act to authorize and empower the County Commissioners of Currituck County to appoint an Assistant Trial Justice for Recorder's Court of said County	92
87. An Act amending the Charter of the Town of Forest City, Rutherford County, North Carolina	93
88. An Act to empower the Governing Body of the Town of Forest City, Rutherford County, to relieve Churches of paying assessments	94
89. An Act to amend Chapter six hundred and thirteen of the Public-Local Laws of one thousand nine hundred and thirteen relating to the Recorder's Court of Mooresville, Iredell County.....	94
90. An Act to validate sales of land for taxes in Cleveland County and extend the time for foreclosure proceedings.....	95
91. An Act to aid in the collection of delinquent taxes in Henderson County	96
92. An Act authorizing the Board of Commissioners of the Town of Windsor to remit interest and penalties on uncollected paving assessments and uncollected taxes due to the Town of Windsor for the year one thousand nine hundred thirty-three and prior years	97
93. An Act to validate certain sales of land for taxes and certificates issued in pursuance thereof, and to validate foreclosure proceedings instituted upon certificates of sale, and to authorize extension of foreclosure proceedings in Moore County.....	98

CHAP.	PAGE
94. An Act relating to the quadrennial assessment of property for taxation in Macon County.....	99
95. An Act to permit the County Commissioners of Wake County to exempt certain persons from the payment of peddler's license tax in Wake County.....	100
96. An Act to repeal Chapter forty of the Public-Local and Private Laws of one thousand nine hundred and twenty-nine, with reference to tenancy in Rowan County.....	101
97. An Act to empower the governing body of the Town of Mount Holly, Gaston County, to buy, lease or sell Real or Personal property for the town at public or private sale.....	101
98. An Act to empower the governing body of the Town of Mount Holly, Gaston County, to cancel, release, compromise or otherwise adjust street and sidewalk paving assessments against property in said town	101
99. An Act to prohibit the sale of fireworks in Haywood County.....	102
100. An Act to authorize, empower, and direct the County Tax Collector or Sheriff of Duplin County to pay all penalty and interest collected on taxes to the County Treasurer for credit of the General County Fund	103
101. An Act to repeal Chapter thirty-five, Public-Local Laws, extra session, one thousand nine hundred and twenty-four, ratified August twenty-first, one thousand nine hundred and twenty-four, entitled "An Act to allow Brokerage or Commissions, not exceeding one and one-half percent, or not less than nine years real estate mortgage loans.".....	103
102. An Act to prohibit the manufacture and sale of beer and wine within two and one-half miles of the Rawls Baptist Church, Chalybeate Springs Baptist Church and Kipling Methodist Church in Hector's Creek Township, Harnett County.....	104
103. An Act to abolish the County Recorder's Court of Caswell County and to provide means for establishment of a County Recorder's Court in the future	104
104. An Act creating five districts in Northampton County for the nomination of members of the Board of Education.....	106
105. An Act to permit the County Board of Education of Guilford County, North Carolina, to sell the old Red Hill Colored School property to the Red Hill Methodist Episcopal Church (colored) without advertising the same.....	106
106. An Act to amend Chapter one hundred and seventy of the Public-Local Laws of one thousand nine hundred and thirty-five, entitled "An Act to create and establish a Bureau of Identification for the county of New Hanover," providing an assistant to the identification expert and providing for vacations with pay	107

CHAP.	PAGE
107. An Act to provide a Boxing and Wrestling Commission for the City of High Point, North Carolina.....	108
108. An Act to repeal Chapter fifty-seven, Public-Local Laws of one thousand nine hundred and twenty-nine regarding the issuance of bonds by the Commissioners of Chatham County.....	109
109. An Act to provide for the election and regulation of salary of the Tax Collector of Pender County.....	109
110. An Act fixing the compensation of the members of the Board of Commissioners of Edgecombe County, North Carolina.....	110
111. An Act creating a Central Board of Assessors for Forsyth County.....	111
112. An Act to authorize Catawba County to establish and maintain a County Law Library	112
113. An Act to authorize the County Commissioners of Cumberland County to assume the road indebtedness of Black River Township Road District	114
114. An Act relative to the appointment of a School Board for the Asheville Local Tax School District, and defining its powers and duties	114
115. An Act to repeal Chapter one hundred eighty-eight of the Private Laws of one thousand nine hundred and thirty-five.....	115
116. An Act to authorize Hemp School District to pay teacher out of unappropriated funds from special tax belonging to said district in Moore County.....	116
117. An Act to amend Chapter one hundred fifty-three of the Public-Local Laws of one thousand nine hundred and thirty-five, relating to the Tax Collector of Beaufort County.....	117
118. An Act to amend section twelve of chapter two hundred and twenty-five of the Public-Local Laws of one thousand nine hundred and thirty-three relative to the salary of the Register of Deeds of New Hanover County	118
119. An Act to amend Chapter one hundred ninety-six of the Public-Local Laws of one thousand nine hundred and thirty-one, relative to the salary and fees of the Clerk of the Superior Court and Register of Deeds of Caldwell County.....	118
120. An Act to provide an allowance for travel expense for the Sheriff of Warren County	119
121. An Act to regulate the drawing of the Grand Jury in Warren County	119
122. An Act to fix the salaries of the Mayor and Aldermen of the Town of Waynesville	120

CHAP.	PAGE
123. An Act to fix the compensation of the members of the Board of County Commissioners of Macon County.....	120
124. An Act to create a Livestock Commission for Macon County and to authorize the Board of County Commissioners to purchase pure bred stock	121
125. An Act providing for the election and compensation of the members of the Board of County Commissioners of Haywood County	121
126. An Act to amend Chapter one hundred fifty-two of the Public-Local Laws of one thousand nine hundred thirty-five regulating the salaries of certain officers of Wake County.....	122
127. An Act to license and regulate tourist camps, dance halls, road houses and similar businesses in Guilford County, located outside the limits of the incorporated cities and towns therein.....	122
128. An Act to prohibit the sale of intoxicants of any nature or kind within one (1) mile of the Methodist and Baptist Churches located in the village of Hiddenite, Alexander County.....	124
129. An Act authorizing the issuance of funding bonds of Alamance County and validating the outstanding indebtedness to be funded by said funding bonds	124
130. An Act to prohibit the manufacture, purchase, sale, dealing in, transportation, possession, advertisement and use of pyrotechnics in Forsyth County.....	128
131. An Act to prohibit the sale of fireworks in Jackson County.....	129
132. An Act to name an Election Board for the City of Asheville and provide for the proper registration of the voters.....	130
133. An Act to extend the power and authority of the police officers of the Town of Tarboro.....	131
134. An Act granting special power to the Town of Tarboro to sell and lease a portion of the Town Commons	131
135. An Act to allow pool or billiard parlors to be operated in Cherokee County and Clay County.....	132
136. An Act to provide for the nomination of the Board of Education and Board of County Commissioners of Onslow County by the voters of the township in which the candidate resides.....	133
137. An Act to amend Chapter two hundred and eighty-six, Public-Local Laws one thousand nine hundred thirty-three, relative to the fees of officers of Catawba County.....	133
138. An Act to authorize an election in Burke County upon the question of assumption by the County of all Township Road Bonds	135
139. An Act to authorize the Board of County Commissioners of Burke County to fund outstanding Tax Anticipation Notes.....	137

CHAP.	PAGE
140. An Act to provide for a fee to be paid to the Sheriff of Caswell County for the arrest and conviction of tobacco thieves.....	138
141. An Act relating to duties and compensation of the Clerk of the Superior Court of Hyde County.....	139
142. An Act to extend the time for tax foreclosure sales in Tyrrell County	139
143. An Act to empower the governing body of the Town of Mount Holly, Gaston County, to relieve churches and church properties of street and sidewalk paving assessments.....	140
144. An Act to amend Chapter one hundred and seven of the Private Laws of one thousand nine hundred and thirty-one and all Acts amendatory thereof relating to the City Charter of the City of High Point and to create a Civil Service Commission of the City of High Point	140
145. An Act to aid in the collection of delinquent taxes in Macon County	148
146. An Act to amend Chapter four hundred fifty-two of the Public-Local Laws of one thousand nine hundred eleven and as amended by Chapter three hundred six of Public-Local Laws of one thousand nine hundred thirteen relating to the duties of the Auditor of Wake County.....	149
147. An Act to repeal Chapter one hundred and three Public-Local Laws one thousand nine hundred thirty-three, relative to the purchase of an automobile for use of Graham County.....	150
148. An Act to amend chapter three hundred ninety-five of the Public-Local Laws of one thousand nine hundred thirteen, relative to the dog tax in Avery County.....	151
149. An Act to validate certain sales of land for taxes in Greene County, and certificates issued in pursuance thereof and to extend the time for tax foreclosure.....	151
150. An Act to authorize the Board of Commissioners of the County of Surry to adjust, reduce and settle back taxes levied for the years one thousand nine hundred thirty-three and all former years and to extend the time of foreclosures and sales of lands for taxes for the years one thousand nine hundred thirty-four and prior years and to grant such authority to the Commissioners of the incorporated towns within said County of Surry as to taxes levied for such years by said towns or the Commissioners thereof	152
151. An Act to require an audit of all County Officials of Hyde County	153
152. An Act to amend Chapter one hundred and ninety-seven of the Public-Local and Private Laws of one thousand nine hundred and thirty-five, relative to the boundaries of the Town of Aulander, North Carolina	154

CHAP.	PAGE
153. An Act to amend House Bill number one hundred seventy of the General Assembly of one thousand nine hundred thirty-seven, ratified February fifteenth, one thousand nine hundred thirty-seven	155
154. An Act to amend Chapter two hundred seventeen, Public-Local Laws, one thousand nine hundred thirty-five, relating to special tax in Jackson County.....	155
155. An Act relating to the purchase, sale or use of milk bottles in certain cases in Halifax and Northampton Counties.....	156
156. An Act to provide for the better enforcement in Beaufort County of the law providing for the vaccination of dogs and the collection of license tax on dogs.....	156
157. An Act validating forty thousand dollars (\$40,000.00) Sewage Disposal Bonds of the Town of Mebane.....	157
158. An Act validating certain Bond Anticipation Notes of the City of Concord	158
159. An Act to relieve taxpayers of Camden County with respect to penalties and interest on delinquent taxes for years prior to and including year one thousand nine hundred thirty-three, within the discretion of Board of County Commissioners.....	159
160. An Act to validate sales of land for taxes in the County of Robeson or any municipality or taxing district therein for the years nineteen hundred and thirty-four and nineteen hundred and thirty-five	160
161. An Act to amend Chapter five hundred forty-six, Public-Local Laws of one thousand nine hundred thirty-five, so as to enlarge the term of office of the Register of Deeds of Halifax County	160
162. An Act validating sales of real property by the Governing Body of the Town of Roxboro for delinquent taxes for the year one thousand nine hundred and thirty-five, and preceding years.....	162
163. An Act to validate the payment by the Board of Commissioners of Pitt County for extra services employed in the Sheriff's office in Pitt County, and to authorize said Board of Commissioners of Pitt County to employ additional help in said Sheriff's office when needed	162
164. An Act to allow Sunday baseball in Cherokee County for which an admission fee is to be charged.....	163
165. An Act to allow moving picture theatres to operate on Sunday in Cherokee County for which an admission fee is to be charged	164
166. An Act to repeal Chapter one hundred thirty-nine of the Public-Local Laws of one thousand nine hundred twenty-three, relating to the sale of bonds in Columbus County.....	164

CHAP.	PAGE
167. An Act to create the office of City Attorney for the City of Charlotte and designate the duties of the holder of said office and the salary attached thereto.....	165
168. An Act to regulate the pledging, purchase and sale of used or second-hand merchandise and other personal property in Buncombe County	166
169. An Act relating to the preparation of the tax books in Hyde County	166
170. An Act to authorize the Board of County Commissioners of Guilford County to levy a special tax for the support and maintenance of the poor and the operation of the County Welfare Department	167
171. An Act to regulate the drawing of grand jurors in Bertie County	168
172. An Act to provide a Boxing and Wrestling Commission and to regulate boxing and wrestling in the City of Charlotte.....	168
173. An Act to authorize the Board of Aldermen of the Town of Brevard to sell at private sale property acquired by said Town through tax foreclosure proceedings.....	169
174. An Act to amend Chapter ninety-nine, Private Laws of one thousand nine hundred thirty-five, relating to the election of the School Trustees for the Canton Graded School District.....	170
175. An Act validating certain bond anticipation notes of the Town of Whiteville and authorizing the issuance of bonds of said Town	171
176. An Act to provide for the office of Tax Collector for Wake County	172
177. An Act to amend the Charter of the Town of Bridgeton in Craven County	173
178. An Act to repeal House Bill number two hundred thirty-two, ratified February fifteenth, one thousand nine hundred and thirty-seven, same being "An Act extending the time for the issuance of refunding and funding bonds of the Town of Elkin, and amending Chapter two hundred and fifty-eight, Private Laws one thousand nine hundred and thirty-five," and to reenact the same	174
179. An Act to enlarge the term of office of the Treasurer for Pitt County	175
180. An Act to allow the voters of Duplin County to express their will as to increasing the number of Commissioners in said County to five	176
181. An Act to validate certain property listing and sales of land for taxes in Orange County, and to validate certificates issued in pursuance thereof and judicial proceedings had in said county in connection with collection of delinquent taxes.....	176

CHAP.	PAGE
182. An Act to amend chapter two hundred nine, Public-Local Laws one thousand nine hundred thirty-five, providing for the nomination and election of the County Commissioners of Wilson County by the voters of the entire county.....	178
183. An Act to repeal Chapter one hundred three of the Public-Local Laws of one thousand nine hundred twenty-nine, relating to public drunkenness in Bladen County; and to make public drunkenness unlawful in Bladen County.....	178
184. An Act to amend Chapter one hundred thirty-one Private Laws of one thousand nine hundred thirty-five creating a Board of Municipal Elections for the Town of Canton.....	179
185. An Act to prohibit the sale of intoxicating liquors near Mulberry School, Center Church and Baptist Home Church in Wilkes County	179
186. An Act to regulate the practice of plumbing and heating contracting in Harnett County, and to prevent frauds.....	180
187. An Act to prevent the sale of gasoline to drunken drivers in Cumberland County	180
188. An Act to create the office of Tax Collector for Davie County and to fix the salary of the Sheriff of said County.....	181
189. An Act to regulate the drawing of Grand Jurors in Wilson County	182
190. An Act to establish a Law Library in Franklin County.....	183
191. An Act to amend the charter of the Town of Mount Airy with respect to the establishment of a special court for traffic violations and authorizing the Board of Commissioners to prescribe the powers and duties of certain officers.....	184
192. An Act limiting to November first, one thousand nine hundred and thirty-seven the acceptance of bonds, notes and coupons by Transylvania County in payment of taxes or any portion of taxes	186
193. An Act to permit the governing agency of the High Point City School Administrative Unit to appoint a person to perform the duties of School Superintendent in the event of the death or resignation of such superintendent.....	187
194. An Act to repeal Chapter one hundred sixty-nine of the Public-Local Laws of one thousand nine hundred and thirty-five and to re-enact Chapter five hundred twenty-six of the Public-Local Laws of one thousand nine hundred and twenty-three relative to payment of insolvent court costs in Cumberland County	188
195. An Act to fix the compensation of the Clerk of Recorder's Court for Vance County	188

CHAP.	PAGE
196. An Act to authorize County Commissioners of Gaston County and the Governing Boards of other political subdivisions of said County to reduce the interest on tax sales certificates, and on unpaid tax foreclosure judgments	189
197. An Act to provide for jury trials in the Recorders Courts of Robeson County	190
198. An Act to prohibit the sale of beer or other alcoholic beverages within a certain distance of Mount Pisgah Baptist Church in Union County	191
199. An Act increasing the Board of Education of Halifax County from three to five members	191
200. An Act to amend Chapter two hundred sixty-six of the Public-Local Laws of one thousand nine hundred thirty-five relative to the better protection of trout streams in certain sections of Jackson County	192
201. An Act to fix the salaries of the members of the Board of County Commissioners and to provide for the payment for the extra services and expenses of the Chairman of the Board of Commissioners of Randolph County	192
202. An Act to amend the charter of the Town of Pink Hill in Lenoir County	193
203. An Act to authorize any city or town in Catawba County to remit, cancel or adjust street and sidewalk assessments, or to reassess for street or sidewalk improvements	193
204. An Act to repeal Chapter one hundred seventy-eight, Private Laws, one thousand nine hundred and twenty-one, relating to the Tax Collector for the Town of Bostic and to amend Chapter two hundred sixty-three, Private Laws, one thousand nine hundred thirteen, relating to the charter of the Town of Bostic	196
205. An Act restoring the salary of the Sheriff, Register of Deeds, and Clerk of the Superior Court of Forsyth County	198
206. An Act to regulate the Grand Jury of Forsyth County	199
207. An Act to govern the election of township officers in Rowan County	200
208. An Act authorizing elections by school districts in Buncombe County for the purpose of supplementing state school funds	200
209. An Act to extend the boundaries of police jurisdiction in the Town of Rockingham, Richmond County	202
210. An Act to repeal Chapter one hundred forty-six, Public-Local Laws of one thousand nine hundred and thirty-three, abolishing the office of Deputy Township Constable for Waynesville Township, Haywood County	202

CHAP.	PAGE
211. An Act to provide for a calendar in the criminal courts of Greene County	202
212. An Act to amend Chapter one hundred nineteen of the Public-Local Laws of one thousand nine hundred thirty-three, relative to the Recorder's Court in Vance County	203
213. An Act to prohibit the sale of beer, wine, ales and intoxicating liquors within the Town of Wagram, Scotland County, and within one mile of the corporate limits of said town	204
214. An Act to amend Chapter one hundred and thirty-four, Public-Local Laws, extra session of one thousand nine hundred and thirteen, relating to the jurisdiction of the Recorder's Court of Chowan County	205
215. An Act creating the office of Tax Collector in Orange County	205
216. An Act relative to the duties of the County Commissioners of Pender County	207
217. An Act to increase the members of the Board of Education of Bertie County from three to five	208
218. An Act to provide for sale of real property owned and held by municipalities in Catawba County	209
219. An Act to require that the railroad station in the Town of Walstonburg be known and named "Walstonburg"	210
220. An Act to ratify and validate the proceedings heretofore taken for the issuance of bonds for erecting and equipping a new high school building in Shelby School District of Cleveland County and acquiring a site therefor, and to authorize a tax for the payment thereof	211
221. An Act to authorize the County Commissioners of New Hanover County to appropriate funds to complete project known as the American Legion Recreational Park	212
222. An Act to make the term of office of the Mayor and the Board of Aldermen of the Town of Andrews two years from and after the date of their election	212
223. An Act fixing the compensation of the members of the Board of Education of Edgecombe County, North Carolina	213
224. An Act to amend Chapter four hundred and eighty-three of the Public-Local Laws of one thousand nine hundred and thirty-five, relative to the salaries of public offices in Granville County, so as to allow the Register of Deeds to appoint an additional Deputy Register of Deeds, and to allow the County Commissioners to set his or her salary	214

CHAP.	PAGE
225. An Act to authorize the commissioners of Caswell County to levy a special tax for the support of the poor, maintenance of County health work, and for operating the Superior Courts of said County	214
226. An Act to enlarge the term of office of the Register of Deeds for Vance County	215
227. An Act to validate the delay in the foreclosure of tax sales certificates for the Town of Ahoskie, Hertford County	215
228. An Act to create a Tax Commission for Chimney Rock Township in Rutherford County	216
229. An Act authorizing both criminal and civil cases brought originally in the Superior Court to be transferred to the General County Court of Bertie County	218
230. An Act to validate tax sales in Bertie County and Town of Windsor	218
231. An Act to validate certain acts of the Assistant Clerk of the Superior Court of Haywood County	219
232. An Act amending Chapter one hundred nine, Private Laws, one thousand nine hundred thirty-three, the same being entitled "An Act relating to special assessments levied by the City of Greensboro"	219
233. An Act to appoint one member of the Board of Water Commissioners of the City of Hendersonville	220
234. An Act prohibiting carnival companies and the like from operating in Richmond County, Mark's Creek Township excepted	221
235. An Act relating to the Jury Commission of Cherokee County	221
236. An Act to protect Siler City water supply from pollution	222
237. An Act to amend Chapter two hundred and thirty-two of the Public-Local Laws of one thousand nine hundred and thirty-three, relative to redemption of real estate sold for taxes in Hertford County	223
238. An Act to amend Chapter twenty-one, of the Private Laws of one thousand nine hundred and thirty-five, relative to increasing compensation of the Mayor and Aldermen of the Town of Carolina Beach	224
239. An Act relating to the settlement and collection of back taxes due the Town of Carolina Beach	224
240. An Act to authorize Caldwell County to establish and maintain a County Law Library	225

CHAP.	PAGE
241. An Act to amend Chapter five hundred and forty-seven, Public-Local Laws, one thousand nine hundred and thirty-five, prohibiting killing quail in Alexander County with pump or automatic shotgun	227
242. An Act relating to commissions allowed the Sheriff of Hyde County for collection of taxes	227
243. An Act to regulate the quadrennial re-assessment of real estate in Alleghany County	228
244. An Act authorizing the County Commissioners of Catawba County and/or the governing body of any municipality in said County to make adjustments with taxpayers as to penalties, interest and costs	229
245. An Act to amend Chapter thirty-three of the Public-Local Laws of one thousand nine hundred thirty-five and to ratify the postponement of sales of land for taxes in the County of Ashe and to authorize the issuing of alias summons in tax foreclosure proceedings	229
246. An Act to create a Fire District for the purpose of levying taxes therein consisting of Roanoke Island outside of Manteo and authorizing cooperation with Manteo in fire protection.....	231
247. An Act to repeal Chapter two hundred ninety, Public-Local Laws, one thousand nine hundred thirty-three, relating to fishing in certain streams in Catawba County.....	232
248. An Act to amend Chapter one hundred fifty-five of the Public-Local Laws of North Carolina, session one thousand nine hundred and twenty-five, and Chapter two hundred seventy-five of the Public-Local Laws of North Carolina, session one thousand nine hundred and twenty-nine, and Chapter one hundred thirty-six of the Public-Local Laws of North Carolina, session one thousand nine hundred and thirty-five, relating to the salaries of Public Officers of Orange County.....	232
249. An Act to amend Chapter four hundred thirteen of the Public-Local Laws of North Carolina, session of one thousand nine hundred and thirty-five relating to the collection of taxes in Pender County, and salary of Tax Collector.....	233
250. An Act to permit the Board of Commissioners of New Hanover County to expend money for the development and maintenance of Greenfield Park and Greenfield Lake.....	234
251. An Act to confer civil jurisdiction upon the County Recorder's Court of Columbus County	236
252. An Act to regulate the hunting of game in Davie County.....	238
253. An Act to regulate fox hunting in Stanly County	238

CHAP.	PAGE
254. An Act to aid the collection of taxes in Lake Lure, Rutherford County	239
255. An Act to empower the Board of Town Commissioners of the Town of Mount Gilead to provide relief of certain property owners by extending the time of payment of certain special assessments against abutting property.....	240
256. An Act relating to the fees for the registration of certain papers in the office of the Register of Deeds of Halifax County.....	241
257. An Act to extend the time to the Town of Wilkesboro, North Carolina, for the completion of the collection of and sale of property for unpaid taxes levied for the years one thousand nine hundred and thirty-four and one thousand nine hundred and thirty-five	241
258. An Act to fix the salary of the Sheriff of Transylvania County.....	242
259. An Act to amend Chapter thirty-four, Public-Local Laws of one thousand nine hundred and thirty-three and to repeal Chapter fifty-two, Public-Local Laws of one thousand nine hundred and thirty-five, relating to per diem of the Chairman of the County Board of Commissioners of Swain County.....	243
260. An Act to amend Chapter ninety-one of the Public-Local Laws of one thousand nine hundred thirty-five, relating to the adjustment and payment of delinquent taxes in Swain County and the Town of Bryson City.....	243
261. An Act amending Chapter one hundred and thirty-nine Public-Local Laws of one thousand nine hundred and thirty-five fixing the salary of the Deputy Register of Deeds of Franklin County	244
262. An Act to provide for the appointment of a Deputy-Sheriff in Franklin County and to fix the salary of such Deputy.....	244
263. An Act validating a certain bond anticipation note of the City of Shelby	245
264. An Act to provide for the collection of real, personal, and poll tax for the Town of Carolina Beach, and to appoint a treasurer of said Town	246
265. An Act fixing the salary of the Sheriff of Haywood County.....	247
266. An Act to amend Chapter two hundred forty-one, Public-Local Laws of one thousand nine hundred thirty-three and Chapter five hundred nine, Public-Local Laws of one thousand nine hundred thirty-five in so far as they relate to the waters of Beaufort County and to regulate the use of long haul or drag nets in the waters of Beaufort County.....	248

CHAP.	PAGE
267. An Act to amend Chapter two hundred fourteen of the Public-Local Laws of one thousand nine hundred thirty-three as amended by Chapter one hundred thirty-seven Public-Local Laws of one thousand nine hundred thirty-five fixing the salary of the Clerk of the Superior Court and the Deputy-Clerk of the Superior Court of Franklin County and reducing the amount allowed for additional clerical help in said office.....	249
268. An Act to fix the salary of the Sheriff of Buncombe County and prohibit the collection of fees by special Deputy Sheriffs in Buncombe County	250
269. An Act to prohibit the importation of diseased hogs into Buncombe County	251
270. An Act to empower the County Commissioners of Perquimans County to fix the salary of the Treasurer of said County.....	251
271. An Act to provide compensation to the members of the Board of Aldermen of the Town of Newton for their services.....	252
272. An Act to regulate the practice of Justices of the Peace in Watauga County	252
273. An Act to repeal the statutes creating the Board of Financial Control for Buncombe County and to create a Board of Tax Supervision for Buncombe County; to create certain offices and define the powers and duties thereof.....	253
274. An Act relating to advance court costs in Wayne County.....	262
275. An Act to authorize the City of Durham to appoint a City Lake Fishing Commission and to delegate to it certain powers.....	262
276. An Act to allow the Town of Hamlet to sell certain property lying on the East side of the Seaboard Air Line Railway Company right-of-way of its tracks leading from Raleigh to Columbia and lying northward of United States Highway number seventy-four and lying westward of First Street or Boyd's Lake Road, which said property was purchased from the Jamison Estate as is shown by deed recorded in Book number two hundred twenty-six, page number two hundred fifty-seven, in the office of the Register of Deeds for Richmond County at a private sale.....	263
277. An Act to extend the jurisdiction of the Mayor and Police of the Town of Selma, Johnston County, one mile beyond the corporate limits of said town.....	265
278. An Act providing for the extension of special assessments in the Town of China Grove, Rowan County, North Carolina	265
279. An Act to authorize creation of school districts, the issuance of school building bonds and notes in behalf of school districts for special bond tax units and the levy of taxes within such districts and units for the payment of the principal and interest of such bonds and notes.....	266

CHAP.	PAGE
280. An Act relating to real estate sold for taxes to Bertie County and to the Town of Aulander.....	270
281. An Act relating to the duties of the Mayor of the Town of Mount Holly	271
282. An Act to place a bounty upon the scalps of coyotes, wild cats, crows and chicken hawks killed in Macon County.....	272
283. An Act to amend Chapter five hundred twenty-one, Public-Local Laws, nineteen hundred and thirty-five relative to automatic shot guns in Catawba County.....	272
284. An Act to amend Chapter three hundred and fourteen of the Public-Local Laws of one thousand nine hundred and thirty-three relating to the salary of the Assistant Clerk of the Superior Court of Wake County.....	273
285. An Act to repeal Chapter one hundred fifty-six of Private Laws of one thousand nine hundred thirty-three, and Chapter one hundred seventy-eight, Public-Local Laws of one thousand nine hundred thirty-five, relating to the collection of back taxes in the City of Hendersonville, and to repeal certain legislation relative thereto	273
286. An Act validating thirty-five thousand dollars (\$35,000.00) sewer bonds of the Town of Spindale	276
287. An Act to create a Park Commission for the Town of Beaufort, North Carolina	277
288. An Act to authorize the Board of County Commissioners of Pasquotank County to regulate the salary of the office of County Auditor	278
289. An Act to amend Chapter thirty-one of the Public-Local Laws of one thousand nine hundred thirty-three, relating to fixing the salary of the auditor of Cleveland County.....	279
290. An Act relating to the fees for the Sheriff's Office of Avery County	279
291. An Act to validate certain bonds and notes of the County of Alexander and authorizing the issuance of refunding and funding bonds of said county	280
292. An Act to fix the fees of the Sheriff of Caswell County.....	281
293. An Act to validate the acknowledgment of certain deeds and other instruments in Henderson County.....	281
294. An Act to provide for better protection of maps, plats or other drawings to be filed or registered in the office of the Register of Deeds for Rowan County.....	282

CHAP.	PAGE
295. An Act to extend the time for foreclosure of tax liens in Hyde County and to extend the time for payment of delinquent taxes	283
296. An Act to amend Chapter eighty-four of the Private Laws of one thousand nine hundred twenty-five and acts amendatory thereto relating to the charter of the Town of Greenville.....	284
297. An Act to amend the law relating to the Recorder's Court for the County of Union	286
298. An Act to validate the method of listing taxes used by the Town of Carrboro in taking the list of property situated within the town limits from the abstracts made for Orange County in lieu of a separate listing with the Town for the years one thousand nine hundred twenty-seven, one thousand nine hundred twenty-eight, one thousand nine hundred twenty-nine, one thousand nine hundred thirty, one thousand nine hundred thirty-one, one thousand nine hundred thirty-two, one thousand nine hundred thirty-three, one thousand nine hundred thirty-four, one thousand nine hundred thirty-five, and one thousand nine hundred thirty-six	287
299. An Act to permit the Town of Hamilton Lakes, Guilford County, to receive its bonds or bond interest coupons or any other established indebtedness in payment of certain delinquent taxes.....	288
300. An Act to validate certain sales of land for taxes and certificates issued in pursuance thereof in Rockingham County.....	289
301. An Act to amend Chapter two hundred and ninety-eight, Private Laws of North Carolina, one thousand nine hundred and nine relating to time for assuming office by town officials of Madison, Rockingham County	289
302. An Act to amend Chapter two hundred eighty-nine, Public-Local Laws one thousand nine hundred thirty-five, relating to the salary of the Register of Deeds of Alexander County.....	290
303. An Act relative to salary of Judge and Solicitor of the Recorder's Court of Warren County	291
304. An Act to amend Chapter two hundred and sixty-four, Private Laws of one thousand nine hundred and fifteen, relating to the salary of the mayor of the Town of Hertford.....	291
305. An Act to establish the office of Public Cotton Weigher for Farmville Township, Pitt County	292
306. An Act to amend Chapter fifty-one, Private Laws, Extra Session of one thousand nine hundred and thirteen, and to amend Chapter one hundred and thirty-five, Private Laws of one thousand nine hundred and thirty-three, and to authorize and empower the Board of Commissioners of the Town of Rowland to extend time of payment of street and sidewalk assessments, and to fix the Statute of Limitations	293

CHAP.	PAGE
307. An Act relating to delinquent taxes in Alexander County.....	294
308. An Act to authorize the Town of Brevard to purchase, own and operate a golf course	295
309. An Act to repeal Chapter four, Private Laws of one thousand nine hundred thirty-five, and providing for the acceptance by the Tax Collector of the Town of Brevard of bonds, notes and matured interest coupons of said town in payment of debt serv- ice portion of taxes for the years one thousand nine hundred thirty-six, one thousand nine hundred thirty-five, one thousand nine hundred thirty-four, one thousand nine hundred thirty- three, and in full payment of taxes for the year one thousand nine hundred thirty-two and years prior thereto and special assessments	296
310. An Act to give to the Board of Commissioners of Surry County power and authority to provide for the keeping, feeding and care of prisoners in the common jail of Surry County and to employ a keeper therefor	297
311. An Act to provide an all-time office deputy for the Sheriff of Surry County	299
312. An Act to prohibit the sale of fireworks in Yadkin County.....	299
313. An Act to increase the per diem compensation of the County Com- missioners of Gates County from three dollars (\$3.00) to four dollars (\$4.00)	300
314. An Act validating certain acts of the Board of Commissioners of Avery County	300
315. An Act fixing the salary of the Clerk of the General County Court of Alamance County	301
316. An Act to regulate the hunting of foxes in Wayne County in con- formity with the provisions as set forth in the North Caro- lina Game Law	301
317. An Act to regulate the Grand Jury of Halifax County.....	302
318. An Act to provide for the distribution of profits from the opera- tion of liquor stores in Mecklenburg County.....	302
319. An Act to increase the terms of office of the Register of Deeds, County Auditor and County Treasurer of Johnston County.....	303
320. An Act to appoint trustees of the Tryon-Saluda Administrative School Unit	303
321. An Act to validate certain acts of J. M. Waggoner as a notary public	304

CHAP.	PAGE
322. An Act to amend Chapter one hundred and ninety-seven, Public-Local Laws of one thousand nine hundred and thirty-one relating to the Recorder's Court of Wake Forest.....	305
323. An Act validating title of Sinking Fund Commission of Wilson Township, Wilson County, to real property purchased by said commission through foreclosures of mortgages held by it and validating the action of said commission in purchasing and selling property now held by said commission and further granting authority to sell or mortgage real property of said commission	305
324. An Act to amend Chapter three hundred twenty-five, Public-Local Laws of one thousand nine hundred thirty-three, the same being "An Act to fix and regulate the court cost and witness fees in the Recorder's Court of Iredell County".....	307
325. An Act to create the office of Collector of Revenue of Mecklenburg County, North Carolina	308
326. An Act to provide for the payment of salaries and expenses of the Sheriff's Office of Vance County.....	309
327. An Act to amend Chapter five hundred and twenty of the Public-Local Laws of one thousand nine hundred and fifteen relating to appeals from the Forsyth County Court to the Superior Court of Forsyth County.....	310
328. An Act to amend Chapter six hundred and ninety-nine of the Public-Local Laws of one thousand nine hundred and twenty-seven entitled "An Act to amend Chapter five hundred and sixty-nine of the Public-Local Laws of one thousand nine hundred and thirteen, relative to adding civil jurisdiction to the High Point Municipal Court," and all acts amendatory thereof	311
329. An Act to amend section three, Chapter three hundred and forty-four, of the Private Laws of North Carolina, session one thousand nine hundred and seven, relating to the charter of the City of Concord	312
330. An Act relating to the salaries of the Recorder, Prosecuting Attorney and Clerk of Recorder's Court of the City of Monroe, North Carolina	312
331. An Act to amend Chapter eighty-two of the Public-Local Laws of one thousand nine hundred and thirty-one relating to the salary of the County Accountant of Union County.....	313
332. An Act relating to extension of time for payment of special assessments levied by the Town of Maxton.....	313
333. An Act to amend Chapter forty, Private Laws, one thousand nine hundred five, relating to the time for holding elections in Tabor City	314

CHAP.	PAGE
334. An Act to repeal Chapter two hundred twenty-eight, Public-Local Laws of one thousand nine hundred seventeen, and to abolish the fiscal agent of Yadkin County and providing for depositories in lieu thereof and to consolidate the offices of County Accountant and Tax Supervisor in Yadkin County.....	315
335. An Act to divide Warren County into five districts for nomination of members of the Board of Education and the Board of County Commissioners, and to fix the compensation of the members of the Board of County Commissioners of Warren County	316
336. An Act to fix the valuation of silver foxes grown for commercial purposes in Avery County	318
337. An Act to validate the creation of the Archdale-Trinity Sanitary District in Randolph and Guilford Counties and to provide a Board of Commissioners therefor	318
338. An Act to amend Chapter eighty-one, Public-Local Laws of one thousand nine hundred thirty-five, relating to the bonded indebtedness and relief of taxpayers in Swain County and the Town of Bryson City.....	320
339. An Act to defer the quadrennial assessment and valuation of property in Wayne County.....	321
340. An Act to allow the Board of Commissioners of Wayne County to turn into the general fund the proceeds from the tax suits and foreclosure sales of land for the years one thousand nine hundred and twenty-nine and one thousand nine hundred and thirty and prior years.....	322
341. An Act to validate certain bonds of the Town of Selma and authorize the issuance of refunding and funding bonds of said town	322
342. An Act to amend section six, Chapter four hundred, of the Public-Local Laws of one thousand nine hundred and thirty-one, relative to limit of tax rate of the Town of Carolina Beach.....	323
343. An Act for the relief of taxpayers of Burke County.....	324
344. An Act to simplify the reassessment of property in Orange County in the year one thousand nine hundred thirty-seven.....	324
345. An Act to provide for economy in the administration of the Government of the Town of Burnsville	325
346. An Act to amend Chapter six hundred ninety-seven of the Public-Local Laws of one thousand nine hundred thirteen, relating to the County Court of Wayne County.....	326
347. An Act to amend Chapter forty-five of the Public-Local Laws of one thousand nine hundred thirty-five with reference to the adjustment of the bonded indebtedness of Ashe County.....	327

CHAP.	PAGE
348. An Act relating to Trustees of the Haywood County Hospital.....	328
349. An Act to validate the acts of J. B. Craigmiles, Justice of the Peace of Mitchell County	328
350. An Act to amend the Charter of the Town of Brookford, in Catawba County	328
351. An Act authorizing the County Commissioners of Alexander County to purchase a certain tract of land adjoining the Alexander County Home for the aged and infirm, and to issue short term notes in payment therefor.....	329
352. An Act to fix the salary of the Mayor of Beaufort, North Carolina	330
353. An Act to extend the time in which tax foreclosure suits may be brought in Nash County.....	330
354. An Act to repeal House Bill number two hundred forty-seven, ratified February twenty-seventh one thousand nine hundred thirty-seven, same being "An Act to authorize an election in Burke County upon the questions of assumption by the County of all Township Road Bonds," and to re-enact the same.....	331
355. An Act to repeal House Bill number two hundred forty-eight, ratified February twenty-seventh, one thousand nine hundred thirty-seven, same being "An Act to authorize the Board of County Commissioners of Burke County to fund outstanding Tax Anticipation Notes," and to re-enact the same.....	333
356. An Act to amend Chapter four hundred thirteen, of the Public-Local Laws of one thousand nine hundred thirty-five, relating to the adjustment of delinquent taxes in Pender County and creating a commission for effecting such adjustments.....	335
357. An Act authorizing the City Council of the Town of Elizabeth City to levy a sufficient tax to defray the necessary expenses of the fire department of Elizabeth City.....	335
358. An Act authorizing and requiring the Board of County Commissioners of Pasquotank County to apply the profits accruing from the operation of the liquor store or stores in said county to the retirement of the county debt.....	336
359. An Act to provide for the Office of Tax Collector for Lenoir County, in the discretion of the Board of Commissioners.....	336
360. An Act to validate sales of land for taxes in the Town of La Grange, Lenoir County, and to fix the time for advertising delinquent taxes and for tax sales in said town.....	338
361. An Act to authorize the City Council of the Town of Elizabeth City to regulate the salary of the health officer of said town.....	338

CHAP.	PAGE
362. An Act to prescribe the method of listing taxes for the Town of Carrboro	339
363. An Act to validate certain sales of land for taxes and certificates issued in pursuance thereof and to validate foreclosure proceedings instituted upon certificates of sale by the Town of Carrboro during the years one thousand nine hundred twenty-seven, one thousand nine hundred twenty-eight, one thousand nine hundred twenty-nine, one thousand nine hundred thirty, one thousand nine hundred thirty-one, one thousand nine hundred thirty-two, one thousand nine hundred thirty-three, one thousand nine hundred thirty-four, one thousand nine hundred thirty-five, and one thousand nine hundred thirty-six.....	339
364. An Act to amend Chapter one hundred fifty-eight of the Public-Local Laws of one thousand nine hundred eleven and chapter six hundred fourteen of the Public-Local Laws of one thousand nine hundred eleven, relative to the Recorder's Court of Vance County	340
365. An Act to authorize the Board of County Commissioners of Pasquotank County to regulate the compensation of the Tax Supervisor	341
366. An Act to authorize the City Council of Elizabeth City to regulate the salary of the Chairman of the Public Utilities Commission of said town	341
367. An Act to fix the monthly salary of the members and of the Chairman of the City Council of the Town of Elizabeth City.....	341
368. An Act to authorize the Board of County Commissioners of Pasquotank County to regulate the salary of the Chairman of the Board of said commissioners.....	342
369. An Act relating to the collection of paving assessments in the Town of Aulander, Bertie County, North Carolina.....	342
370. An Act extending date of Town of Aulander Tax Sales.....	343
371. An Act extending time for foreclosure of Town of Aulander Tax Sales Certificates	344
372. An Act to validate the acts of T. C. McCall, Justice of the Peace of Transylvania County	344
373. An Act to repeal Chapter five hundred thirty-six of the Public-Local Laws of one thousand nine hundred thirty-five and all acts amendatory thereto regarding the fixing of fees for the Clerk of the Superior Court of Forsyth County and the Clerk of the Forsyth County Court of Forsyth County	345
374. An Act to create a Livestock Commission for Swain County and to authorize the Board of County Commissioners to purchase pure bred stock	351

CHAP.	PAGE
375. An Act to reduce the penalties on past due taxes in Swain County	351
376. An Act regulating the making of bonds in criminal cases in Buncombe County	352
377. An Act relating to the salary of the Deputy Clerk and Assistant Register of Deeds in Montgomery County.....	353
378. An Act to amend the Charter of the Town of Clayton, Johnston County, North Carolina, with respect to the time the Town Officials take office after their election.....	354
379. An Act relating to paving assessments in the Town of Waynesville, Haywood County	355
380. An Act to create the McDowell County Centennial Commission....	355
381. An Act to provide for the allocation of the profits from the sale of liquor in Granville County in the event liquor stores are legalized in said County	356
382. An Act to provide a Special Deputy Sheriff of Yancey County and fix his compensation	356
383. An Act to amend Chapter two hundred twenty-six of the Public-Local Laws of one thousand nine hundred thirty-five, relating to Tax Supervisor and Tax Collector for Haywood County	357
384. An Act to protect agricultural fairs in Wilson County against unfair competition of carnivals and circuses.....	358
385. An Act to authorize the City of Charlotte to charge for sewer service outside the City of Charlotte and to provide penalties for non-payment for such services.....	358
386. An Act to provide relief for property owners along the Beaufort-Martin County line	359
387. An Act to amend Chapter five hundred thirty-eight Public-Local Laws of one thousand nine hundred eleven, as amended by Chapter eight hundred twenty-six Public-Local Laws one thousand nine hundred thirteen and chapter three hundred sixty-nine Public-Local Laws one thousand nine hundred fifteen, known as Mecklenburg County Drainage Law and promoting the drainage of streams within the corporate limits of the City of Charlotte	360
388. An Act to amend Chapter five hundred fifty-nine of the Public-Local Laws of one thousand nine hundred thirty-five for the purpose of making said chapter apply to Pitt County.....	362
389. An Act to validate the indebtedness of certain special school districts in Pitt County created for the purpose of erecting school buildings in said districts and to permit said districts to refund the indebtedness created for the erection of school buildings therein	362

CHAP.	PAGE
390. An Act to amend the charter of the City of Hickory.....	363
391. An Act to provide for the exercise of powers by police officers and firemen of the City of Charlotte on property beyond city limits of Charlotte owned by said city.....	364
392. An Act to authorize the Alcoholic Beverage Control Board of Pitt County to expend not more than twenty per cent of profits from operations for enforcement purposes	365
393. An Act to validate the payment of certain fees paid by the Clerks of the Recorders Court of Sampson County, and to permit the Board of Commissioners of Sampson County to make an appropriation to said court to cover the loss of certain funds in the closed County depository	365
394. An Act prohibiting the sale of wine or beer in Mitchell County.....	366
395. An Act to prohibit the sale of beer, wine, and other intoxicating beverages within the corporate limits of the Town of Black Mountain in Buncombe County.....	367
396. An Act to prohibit the sale of beer, light wines, or other intoxicating beverages within one mile of the Southern Railway Station in the village of Swannanoa	367
397. An Act to authorize and empower Carteret County to adjust its indebtedness	368
398. An Act to authorize the County Commissioners of Jones County to employ some person to administer hog cholera serum and virus in Jones County (applicable also to Carteret County).....	369
399. An Act appointing a Board of Education for Ashe County.....	369
400. An Act authorizing the Board of Commissioners of the Town of Aulander to elect and employ a Clerk, Tax Collector, Chief of Police and other officers	370
401. An Act to create the office of Tax Collector for the County of Martin	371
402. An Act to amend House Bill number three hundred and nineteen, ratified on the twenty-seventh day of February, one thousand nine hundred and thirty-seven, and pertaining to the application of article twenty of Chapter fifty-six of the Consolidated Statutes of North Carolina to said House Bill number three hundred and nineteen	373
403. An Act relating to the payment of taxes in the Town of Spring Hope, Nash County	374
404. An Act to permit the sale and use of hog cholera virus in Pender County under certain conditions.....	374

CHAP.	PAGE
405. An Act to regulate the selling of merchandise on Sunday in the community of Atlantic, Carteret County, North Carolina.....	375
406. An Act to amend Chapter seventy-three of the Public-Local Laws of one thousand nine hundred and thirty-three, relative to the issuance of bonds and incurring of indebtedness by towns and municipalities in Ashe County	376
407. An Act to amend House Bill two hundred sixty-two, ratified March first, one thousand nine hundred thirty-seven, relating to the preparation of tax books in Hyde County	376
408. An Act to amend the law in regard to the Recorder's Court in Hoke County	377
409. An Act creating an Agricultural, Breeders' and Racing Commission in the County of Rowan in the State of North Carolina and providing for an election thereon.....	377
410. An Act to authorize the County Commissioners of Camden County to levy a tax not to exceed five cents on the one hundred dollar valuation of property to meet necessary expenses incurred in the trial of the case of State vs. McPherson.....	381
411. An Act to create and make an open season for the hunting of foxes in Caswell County.....	382
412. An Act to require all persons buying poultry for resale to keep a record of purchases, and preventing purchases after sundown in Hyde County	382
413. An Act to amend Chapter one hundred ninety-seven, Private Laws of one thousand nine hundred thirty-five, it being an Act to amend the Charter of the Town of Aulander, relating to the boundaries of said town	383
414. An Act to authorize the Board of Commissioners of the Town of Aulander to issue bonds to refund outstanding bonded indebtedness	384
415. An Act to authorize the Board of Commissioners of the Town of Aulander to issue funding bonds	385
416. An Act to amend Chapter one hundred and sixty of the Private Laws of one thousand nine hundred and twenty-five, amending the charter of the Town of Mount Airy	386
417. An Act to regulate the quadrennial reassessment of real estate in Mitchell County	386
418. An Act regulating Sunday sales in Johnston County.....	387
419. An Act to provide for the division of profits which may be derived from any store that may be hereafter established by an election in Lee County under the provisions of the Alcoholic Beverage Control Act, Chapter forty-nine, Public Laws one thousand nine hundred thirty-seven	388

CHAP.	PAGE
420 An Act to regulate the quadrennial re-assessment of real estate in Ashe County	388
421. An Act to provide for the distribution of profits from the operation of liquor stores in Caldwell County.....	389
422. An Act to provide for the distribution of profits from the operation of liquor stores in Pender County.....	390
423. An Act to regulate the drawing of Grand Jurors in Onslow County	390
424. An Act to provide for the allocation of the profits from the sale of liquor in Guilford County in the event liquor stores are legalized in said county	391
425. An Act relating to salaries and fees of the officers of the Town of Tabor City	391
426. An Act relating to nomination and election of County Commissioners of Chowan County	392
427. An Act fixing the salary of the Sheriff of Alamance County at twenty-five hundred dollars per annum and expense allowance at eleven hundred dollars	392
428. An Act to divide the profits from the operation of liquor stores in Richmond County	393
429. An Act to authorize Wake County to pay to the Recorders Courts now established in Wake County certain costs in cases in which defendants are sentenced to prison	394
430. An Act to elect the Board of Education of Burke County by a vote of the people	394
431. An Act to prohibit the sale of beer, wine, and other alcoholic beverages within one mile of the center of the Town of Peachland, in Anson County	395
432. An Act to authorize the Board of Education of Wake County to sell certain land in the Town of Apex and to expend the proceeds thereof for school purposes	396
433. An Act to provide for the maintenance of boardwalks, streets and roads in Atlantic Beach, and to incorporate the town of Atlantic Beach in Carteret County	397
434. An Act to validate a certain debt of the Board of Education of Sampson County	400
435. An Act for the relief of ex-Sheriff C. E. Moxley of Yadkin County	400
436. An Act to amend chapter one hundred thirty-seven of the Public Laws of one thousand nine hundred thirty-one, relative to false advertisement and fraudulent sales	401

CHAP.	PAGE
437. An Act to authorize the County of Davidson to erect and equip a new county building and to make alterations and additions to the existing courthouse and to issue bonds therefor.....	401
438. An Act to regulate a division of profits arising from liquor stores in Person County	402
439. An Act to validate certain probate and acknowledgments of Nettie Cuthrell, a Notary Public of Halifax County.....	402
440. An Act to regulate the practice of plumbing and heating contracting in Anson County, and to prevent frauds	403
441. An Act to fix the salaries of certain County Officers in Union County	404
442. An Act relative to fishing in certain streams in Alamance County	404
443. An Act to provide for a new registration in Cleveland County and for the regulation of voting in primaries	405
444. An Act to authorize the Mayor and Board of Aldermen of Wrightsville Beach, North Carolina, to levy a special tax in certain instances	407
445. An Act to repeal Chapter three hundred and ninety-seven Public-Local Laws one thousand nine hundred and thirty-five entitled "An Act for the relief of the taxpayers of Macon County during the economic emergency declared to exist.".....	408
446. An Act relating to the number and appointment of the members of the Board of Education for Surry County.....	408
447. An Act authorizing the City Commissioners of Wilmington to install police radio equipment on all police cars.....	409
448. An Act to authorize the City of Durham to appoint a Board of Building appeals and to delegate to it certain powers.....	409
449. An Act relating to court costs in criminal actions in Durham County	410
450. An Act to regulate the fees of the Clerk of the Superior Court and Sheriff of Wilson County in tax foreclosure suits.....	411
451. An Act to amend Chapter forty-two Public-Local Laws of session one thousand nine hundred and thirty-three, relating to salary of Tax Collector of Brunswick County	412
452. An Act to amend Chapter four hundred eighty-three of the Public-Local Laws of one thousand nine hundred thirty-five, relating to fees for the seizure of stills in Granville County.....	412
453. An Act to extend the time for the institution of tax foreclosure actions in Harnett County	413

CHAP.	PAGE
454. An Act validating the acts of the governing body of the Town of Garysburg with reference to advertisement and sale of property for delinquent taxes	413
455. An Act to prohibit the sale of fireworks in Pender County.....	414
456. An Act to prohibit hunting in Brunswick County with any automatic or repeating shot gun capable of holding over three shells	415
457. An Act for the relief of taxpayers of Carteret County.....	415
458. An Act to provide a Civil Service System for the members of the police and fire departments of the City of Greenville, North Carolina	417
459. An Act to validate certain bonds of the Town of Warsaw and authorizing the issuance of refunding and funding bonds of said town	421
460. An Act to abolish tax penalties in Rowan County and providing a six per cent (6%) interest rate.....	422
461. An Act to incorporate Tucker's Grove Camp Ground encampment of Lincoln County, North Carolina	422
462. An Act to amend Chapter two hundred fifty-four, Public-Local Laws of one thousand nine hundred thirty-three, relating to commissions for collection of taxes in Watauga County and validating certain acts of the County Commissioners in connection therewith	423
463. An Act to provide for the distribution of profits from the operation of liquor stores in Davidson County	424
464. An Act amending section seven, Chapter three hundred and ninety-eight, Public-Local Laws of one thousand nine hundred and thirty-three, relating to the salary and compensation of the Prosecuting Attorney of the Recorder's Court of Bladen County	425
465. An Act relating to the Recorder's Court of Bladen County, and fixing the amount of certain costs to be taxed therein.....	425
466. An Act relating to the re-indexing of the records in the Office of the Register of Deeds of Haywood County.....	426
467. An Act fixing the amount of taxes upon which the Sheriff of Perquimans County shall be entitled to commissions.....	426
468. An Act to permit the holding of county fairs in Scotland County	427
469. An Act relating to the division of profits from any liquor control stores located in Durham County.....	427
470. An Act to validate the official acts of M. K. Clark, Justice of the Peace of Franklin County, North Carolina.....	428

CHAP.	PAGE
471. An Act to provide for a division of liquor profits in New Hanover County	428
472. An Act to provide schedule of fees to be collected by the Clerk of the Superior Court in Jones County	429
473. An Act relating to the salary of the Coroner of Warren County	434
474. An Act to provide for a tax assessor for Richmond County.....	434
475. An Act to authorize the Board of Commissioners of Moore County to fix the compensation of members of said board including the chairman thereof	435
476. An Act to extend the time for payment of street assessments in the Town of Aberdeen	435
477. An Act to amend Chapter three hundred eighty-two of the Laws of North Carolina, session of one thousand eight hundred eighty-seven relating to the graded schools of Goldsboro Township in Wayne County	436
478. An Act to provide four year terms of office for elective officials for the Town of Oxford, North Carolina	438
479. An Act to validate sales of land for taxes in Granville County.....	438
480. An Act to authorize the County Commissioners of Granville County to fix the bond of the Sheriff and of the Clerk of Superior Court	439
481. An Act to provide for division between county and incorporated towns of profits from alcoholic stores in McDowell County.....	439
482. An Act to regulate and fix the fees of Justices of the Peace of Surry County	440
483. An Act to enable the County of New Hanover and the City of Wilmington to make proper provision for the maintenance of the indigent sick and afflicted poor	440
484. An Act relative to the Alcoholic Control Board of Wayne County	443
485. An Act to facilitate the assessment and equalization of property valuations in Harnett County	443
486. An Act to provide for the Office of Tax Collector in Stanly County	444
487. An Act to prohibit the sale of fireworks in Stanly County.....	446
488. An Act to aid in the enforcement of the law in Henderson County	447
489. An Act to provide for the establishment of boundaries of the Bethany School District in Rockingham County	447
490. An Act to provide for the office of Tax Collector for Davidson County	448

CHAP.	PAGE
491. An Act to regulate the selection of and the term of the Grand Jury for Burke County	448
492. An Act to amend Chapter two hundred and fifty-four of the Private Laws of North Carolina of one thousand nine hundred and eleven pertaining to the Mayor and Recorder's Court for Spencer	449
493. An Act authorizing the Sheriff of Cabarrus County with the approval of the Board of Commissioners of said county to appoint not more than four additional deputies to patrol the unprotected rural sections of said county	452
494. An Act to create the office of Treasurer-Tax Collector of Iredell County, describing the duties imposed upon said Treasurer-Tax Collector	452
495. An Act to prohibit the sale of wine and ale beverages within one mile of Western Carolina Teachers' College at Cullowhee, Jackson County	455
496. An Act to amend Chapter one hundred fifteen of Private Laws of one thousand eight hundred ninety-nine and acts amendatory thereto, relating to charter for Town of Greenville.....	455
497. An Act to authorize the Town of Sylva to donate a portion or all of its watershed to the United States of America for administration by the Forest Service	457
498. An Act to amend Chapter one hundred and fifty-five, Public-Local Laws of one thousand nine hundred and thirty-five, extending the time for beginning actions against A. J. Fagg, former Clerk of Superior Court of Stokes County, and his official bond	457
499. An Act authorizing the Town of Maxton to building a municipal building and to issue bonds for the payment thereof.....	458
500. An Act to authorize the Board of Commissioners of Gaston County to enter into agreements and to create liens for unpaid portion of the costs of terracing farm lands in Gaston County.....	460
501. An Act to amend the charter of the Town of Wadesborough authorizing said town to extend, construct, maintain and operate its water, and sewerage lines and systems for a distance not exceeding three miles in all directions from the corporate limits of said town	461
502. An Act to repeal Chapter four hundred and nineteen of the Public-Local Laws, session one thousand nine hundred and thirty-five, relating to the jurisdiction of the County Criminal Court in Cabarrus County, etc.....	462
503. An Act authorizing the Board of Commissioners of the Town of Mount Pleasant to use the funds of the town to aid in the construction of a water and sewerage system.....	462

CHAP.	PAGE
504. An Act to require the filing of a duplicate copy of map or plat of subdivision, with the Register of Deeds for Durham County, for the use of the City of Durham.....	463
505. An Act to amend Chapter two hundred and seventy-four of the Private Laws of one thousand eight hundred and ninety-three and to clarify and define the corporate limits of the Town of Catawba in Catawba County	464
506. An Act relating to the Municipal County Court of the County of Lenoir	464
507. An Act fixing the salary of the Register of Deeds of Alamance County	465
508. An Act authorizing the Board of County Commissioners for Onslow County to furnish the Register of Deeds and the Clerk of the Superior Court with clerical assistants.....	466
509. An Act ratifying the appointment of Commissioners of Iredell-Rowan County Drainage District number one, ratifying actions of said Commissioners	466
510. An Act to repeal Chapter seven hundred and twenty-seven of Public-Local Laws of one thousand nine hundred and thirteen	467
511. An Act to validate Sheriff's sales of lands for taxes held in Stokes County in one thousand nine hundred thirty-six on days other than those fixed by law.....	467
512. An Act to repeal Chapter fifty Public-Local Laws one thousand nine hundred and thirty-five relating to rural policemen for Caldwell County	468
513. An Act to provide for the distribution of profits from the operation of liquor stores in Iredell County.....	468
514. An Act to amend chapter two hundred and twenty, Public-Local Laws of one thousand nine hundred and twenty-nine, relating to the Peace Officers' Relief Fund of the City and County of Durham	469
515. An Act to provide for the distribution of profits from the operation of liquor stores in Catawba County	472
516. An Act to fix the salary of the Sheriff of Polk County	473
517. An Act to amend the charter of the Town of Lucama, in Wilson County	473
518. An Act to provide employment through the assistance of manufacturing and other useful enterprises in the Town of Wilson; providing for the acquisition, purchase, construction, reconstruction, improvement, betterment, extension and maintenance of revenue-producing undertakings by said municipality; authorizing and regulating the issuance of revenue bonds for financing such undertakings; and providing for the payment of such bonds and the rights of holders thereof	474

CHAP.	PAGE
519. An Act to amend chapter five hundred fifty, Public-Local Laws of one thousand nine hundred twenty-three, relating to the Recorder's Court of Mount Airy Township, Surry County	473
520. An Act to repeal chapter one hundred fifty-three of the Public Laws of one thousand nine hundred nine, and all acts amendatory thereof, relating to the appointment, duties, oath, term of office, and compensation of the official Court Reporter for Forsyth County	479
521. An Act to create the office of jailer for Pitt County and to relieve the Sheriff of Pitt County from all duties with respect to the custody of the jail and prisoners while in jail and to increase the salary of the two Deputy Sheriffs in Pitt County and to provide an allowance to the Sheriff of Pitt County for traveling expenses	483
522. An Act to authorize the issuance of school building bonds in behalf of Southern Pines School district in Moore County and the levy of taxes within such district for the payment of the principal and interest of such bonds	484
523. An Act to fix the fees of the Clerk of the Superior Court of Mecklenburg County, North Carolina	488
524. An Act to provide for the payment of sums of money of three hundred dollars (\$300.00) or less due persons whose address or place of residence is unknown	493
525. An Act to validate and ratify the outstanding indebtedness of the City of Hendersonville	494
526. An Act amending section five, chapter three hundred and ninety-eight, Public-Local Laws of one thousand nine hundred and thirty-three, relating to the salary and compensation of the Auditor of Bladen County	495
527. An Act authorizing and empowering the Board of Commissioners of the Town of Bladenboro to remit certain interest and penalties accruing prior to the first day of July, one thousand nine hundred and thirty-seven	495
528. An Act to amend chapter twenty of the Public-Local Laws of the extra session of one thousand nine hundred thirteen	496
529. An Act validating tax sales in the Town of Ayden and extending time for foreclosure suits to January first, one thousand nine hundred and thirty-eight	496
530. An Act to regulate the practices and fees of the Justices of the Peace in cases within the jurisdiction of the Recorder's Court of Cumberland County and to repeal chapter sixty-eight of the Public-Local Laws of one thousand nine hundred and thirty-five	497

CHAP.	PAGE
531. An Act to create the position of keeper of the common jail of Alamance County: To amend the laws in reference thereto and to relieve the sheriff from the duties imposed upon him as custodian of the jail of Alamance County	498
532. An Act creating a Central Board of Assessors for Craven County and to authorize the quadrennial assessment to be deferred	500
533. An Act authorizing the removal of part of a cemetery or burial ground abutting on White Street in the City of Winston-Salem	501
534. An Act to amend chapter one hundred and ninety-four, Public-Local Laws of one thousand nine hundred and thirty-one relating to fees of the Sheriff of Caldwell County	502
535. An Act to create and establish a Bureau of Identification for Wake County	502
536. An Act to amend chapter five hundred and fifty-nine of the Public-Local Laws of one thousand nine hundred and thirty-five by making the same apply to Alamance County	504
537. An Act to simplify the payment of money for indigent children and persons non compos mentis and the disposition of the same in Forsyth County	504
538. An Act to facilitate the handling of welfare problems in the City of Rocky Mount by the State Board of Charities and Public Welfare	507
539. An Act to prohibit the sale, possession and manufacture of alcoholic liquor within two miles of the Church of the Resurrection in Little Switzerland, North Carolina	507
540. An Act to prohibit the sale of beer, wine, or other alcoholic beverages or liquors, within one mile of the center of the Village of Autryville in Little Coharie Township, Sampson County	508
541. An Act to prohibit the sale of beer, wine, and other alcoholic beverages or liquors within certain distances of the Village of Harrells Store, Franklin Township, Sampson County	509
542. An Act relating to the sale of property by the Town of Maxton ...	509
543. An Act to provide for elections in incorporated towns in Halifax County under the provisions of the Alcoholic Beverage Control Act	510
544. An Act to amend House Bill number two hundred twenty ratified February twenty-second, one thousand nine hundred thirty-seven, same being "An Act to prohibit the manufacture and sale of beer and wine within two and one-half miles of the Rawls Baptist Church, Chalybeate Springs Baptist Church and Kipling Methodist Church in Hector's Creek Township, Harnett County."	511

CHAP.	PAGE
545. An Act to authorize a division of proceeds in liquor stores in Buncombe County	511
546. An Act authorizing and empowering the Board of Commissioners of Bladenboro to appoint a Tax Collector for said town and to fix his compensation	512
547. An Act to enlarge and define the corporate limits of the Town of Bladenboro	512
548. An Act for the adoption of standard form of chattel mortgage with note in Columbus, Bladen, Brunswick, Robeson and Duplin Counties	513
549. An Act to allow the Town of Ellerbe to accept its bonds in payment of past due taxes	515
550. An Act to amend chapter one hundred and ninety-seven, Public-Local Laws of one thousand nine hundred and thirty-one relating to the Recorder's Court of Wake Forest	516
551. An Act authorizing a special school tax election in the Valdese Public School District in Burke County	518
552. An Act to prohibit the sale of beer or other intoxicating beverages on Ocracoke Island, Hyde County	521
553. An Act to permit County Commissioners to fix the salary of the Sheriff of Carteret County	521
554. An Act to allow the Public Works Commission of the City of Fayetteville to extend its power lines anywhere in Cumberland County	522
555. An Act to repeal chapter four hundred sixty-eight of the Public-Local Laws of one thousand nine hundred thirty-five, entitled "An Act to regulate the fees of the various Justices of the Peace of Rockingham County."	523
556. An Act to provide for the election of the County Accountant of Franklin County	523
557. An Act to validate the official acts performed by Wade C. Moody, Justice of the Peace of Mount Airy Township, Surry County, North Carolina	523
558. An Act to regulate the salary of Sheriff and Deputy Sheriff and compensation for clerical assistance in offices of Register of Deeds and Clerk of Superior Court and pay of Jurors in McDowell County	524
559. An Act to authorize the governing body of the City of Charlotte to appoint an airport commission for the purpose of operating the municipal airport with alternative provisions, authorizing the City to lease the said airport or to operate the airport directly by the governing body of the city	525

CHAP.	PAGE
560. An Act to protect the trout streams in Macon County	527
561. An Act to amend Senate Bill number fifty-five, ratified on the fifteenth day of February, one thousand nine hundred thirty- seven	528
562. An Act to abolish the office of County Treasurer of Yancey County	528
563. An Act providing for the minutes of petty misdemeanors tried in the General County Court of Wilson County	529
564. An Act to fix the salary of the Register of Deeds of Burke County	529
565. An Act to provide for the better enforcement of law and order and for welfare and social security purposes in Alamance County and the incorporated cities and towns located therein	530
566. An Act to regulate the drawing of Grand Juries in Alamance County	530
567. An Act to amend the Charter of the City of Raleigh to provide for a four year term of office for elective city officials upon a vote of the people	531
568. An Act amending section three, chapter three hundred ninety- eight, Public-Local Laws of one thousand nine hundred thirty- three, relating to the salary and compensation of the Clerk of the Superior Court of Bladen County	532
569. An Act amending section four, chapter three hundred ninety- eight, Public-Local Laws of one thousand nine hundred thirty three, and repealing section one, chapter three hundred forty- one Public-Local Laws of one thousand nine hundred thirty- five, relating to the salary and compensation of the Register of Deeds of Bladen County	533
570. An Act validating Greene County Courthouse Bonds	534
571. An Act to make the sewage tax in the Town of Snow Hill a lien upon the property and to provide for collection of same	534
572. An Act relating to the solicitors of the Recorder's Court of Rich- mond County and Mark's Creek Township, Richmond County	535
573. An Act to provide for the collection of delinquent taxes in Gran- ville County	536
574. An Act to validate certain sales of land for taxes and certifi- cates issued in pursuance thereof in Surry County. (Applic- able also to Wilkes County.)	537
575. An Act authorizing and empowering the Board of Commissioners of Wilson County and the Board of Commissioners of the Town of Wilson to appropriate funds for the establishment, construc- tion, erection and maintenance of a free public library in Wil- son County	538

CHAP.	PAGE
576. An Act to regulate the hunting of foxes in Warren County in conformity with the North Carolina Game Law	541
577. An Act to amend chapter four hundred and twenty-nine, Public-Local Laws of one thousand nine hundred and thirty-five, relating to Recorder's Court of Stanly County	541
578. An Act to increase the pay of the members of the Board of County Commissioners of Stanly County	542
579. An Act to prevent the sale of beer, ale, wine, or other intoxicants in Yancey County	542
580. An Act to authorize Vocational Agricultural Teachers in Duplin and Sampson Counties to vaccinate hogs against cholera without license	543
581. An Act to regulate the pay of precinct officers of New Hanover and Randolph Counties	543
582. An Act to extend the jurisdiction of the Municipal Court of the City of Hickory to include public parks and airports belonging to the City of Hickory and lying partially in other counties	543
583. An Act to amend chapter five hundred and fifty-nine, Public-Local Laws of one thousand nine hundred and thirty-five, so as to include Burke County within the provisions of said chapter five hundred and fifty-nine	544
584. An Act to amend chapter three hundred and forty-four of the Public-Local Laws of the session of one thousand nine hundred and thirty-one relating to the fees to be collected by the Clerk of the Superior Court of Granville County	544
585. An Act to provide for the distribution of profits from the operation of liquor stores in Rowan County	550
586. An Act to give the Sheriff of Wilson County custody of the common jail of Wilson County	550
587. An Act to amend House Bill number four hundred forty-nine of the one thousand nine hundred thirty-seven session of the General Assembly relating to the collection of tax in Pender County and salary of Tax Collector	551
588. An Act to permit the sale and use of hog cholera virus in Camden County under certain conditions	551
589. An Act relating to the establishment of liquor stores in certain townships in Haywood County	552
590. An Act relating to filing of death certificates of World War Veterans in Wake County	553
591. An Act relating to the drainage of Third Creek in Rowan and Iredell Counties, North Carolina	554

CHAP.	PAGE
592. An Act relating to the drainage of Second Creek in Rowan County, North Carolina	556
593. An Act to provide for the division of profits arising from liquor stores in Henderson County	557
594. An Act to validate certain official acts of the Assistant Clerk and the Deputy Clerk of the Superior Court of Surry County	558
595. An Act to amend chapter one hundred three of the Private Laws of one thousand nine hundred thirty-three so as to increase the number of trustees of the Morganton graded school from five to nine and fix their terms of office	559
596. An Act to authorize the governing boards of the County of Mecklenburg and the City of Charlotte to adjust delinquent taxes, including penalties and interest thereon for the years nineteen hundred thirty-four and the years prior thereto	560
597. An Act to fix the rate of interest which may be charged by the County of Mecklenburg and the City of Charlotte on delinquent taxes	561
598. An Act to enable the County of Wake and the City of Raleigh to consolidate their welfare activities and to provide for the appointment and to designate certain duties of the County Board of Charities and Public Welfare for Wake County	561
599. An Act to amend chapter three hundred and fifteen, Public-Local Laws, one thousand nine hundred and thirty-one, relating to salary of the Sheriff of Nash County	563
600. An Act to amend chapter forty, of the Public-Local and Private Laws of North Carolina, session of one thousand nine hundred and twenty-nine, by including Brunswick County under the provisions of the said chapter relative to agricultural tenancies	563
601. An Act to amend chapter five hundred fifty-nine, Public-Local Laws of one thousand nine hundred thirty-five, relative to the issuance of school building bonds in behalf of school districts and special bond tax units and the levy of taxes within such districts and units for the payment of the principal and interest of such bonds and making said act applicable to Franklin County	564
602. An Act allocating the profits from the Alcoholic Beverage Control stores of Harnett County if and in the event Alcoholic Beverage Control Stores shall be established in said county under the provisions of House Bill fifty-five in the Public Laws one thousand nine hundred and thirty-seven, ratified February twenty-second, one thousand nine hundred and thirty-seven	564
603. An Act to permit the sale and use of hog cholera virus in Perquimans County under certain conditions	565

CHAP.	PAGE
604. An Act authorizing counties and municipalities to sell lands acquired at the foreclosure sale of tax sale certificates and tax liens without advertising	566
605. An Act to prohibit the sale of beer, wine or any other intoxicating liquors within two miles of the Sound Side Freewill Baptist Church in Tyrrell County	567
606. An Act to amend chapter one hundred eighty-three of the Private Laws of one thousand nine hundred and one relative to the charter of the Town of Leaksville	567
607. An Act to amend and clarify chapter thirty-four Public-Local Laws of one thousand nine hundred thirty-three relative to the compensation of the Sheriff and Tax Collector of Swain County	568
608. An Act providing for additional sittings of the County Court of Stanly County	569
609. An Act to amend section four thousand three hundred seventy-eight of the Consolidated Statutes, relating to resisting officers, in Warren County	569
610. An Act to amend House Bill one hundred thirty-nine, entitled, "An Act to authorize the Board of Commissioners of Columbus County to issue bonds for the purpose of building and equipping a county home, subject to an election to be held for such purpose," ratified the fifth day of February, one thousand nine hundred thirty-seven	570
611. An Act to make the Solicitor of the Recorder's Court of Warren County Assistant Solicitor to the Superior Court of Warren County	571
612. An Act to amend chapter seventy-two of the Public-Local Laws of the extra session of one thousand nine hundred twenty-four, relative to rural policemen in Montgomery County	571
613. An Act to provide travel expense for the Sheriff of Brunswick County	572
614. An Act authorizing the Board of County Commissioners for Lenoir County to furnish the Register of Deeds and the Clerk of the Superior Court and the Sheriff Clerical Assistants	572
615. An Act to fix the officer's fee for making arrests in criminal cases in Cabarrus County	573
616. An Act to amend House Bill two hundred and twenty-one, the same being entitled "An Act authorizing elections by school districts in Buncombe County for the purpose of supplementing state school funds," ratified March ninth, one thousand nine hundred and thirty-seven, so as to include Wake County in the provisions of said act	573

CHAP.	PAGE
617. An Act to prohibit the sale of wine, beer and intoxicating beverages within one-half mile of Love's Church, Middlefork Township, Forsyth County	574
618. An Act to provide for the distribution of profits from the operation of liquor stores in Union County	575
619. An Act to provide for the distribution of profits from the operation of liquor stores in Martin County	575
620. An Act to amend chapter one hundred ninety-seven of the Private Laws of North Carolina of one thousand nine hundred seven relating to the charter of the Town of Garner	576
621. An Act to repeal chapter two hundred and fifty-three, Public-Local Laws of one thousand nine hundred and thirty-five, relating to the jurisdiction of Constables in Greene County	576
622. An Act to create the office of Tax Collector for Rockingham County, and to fix the salary of the Sheriff of said County	577
623. An Act to eliminate the requirement for annual sales of property for delinquent taxes by the County of Mecklenburg and municipalities therein	579
624. An Act relating to the payment of taxes in Mitchell County	579
625. An Act to permit the Aldermen of the Town of Warrensville in their discretion to prohibit the sale of wine and beer within the incorporated limits of said town	580
626. An Act to prohibit the sale or giving away malt liquors, beer, ale and other intoxicating beverages containing alcohol, in the community of Atlantic, Carteret County, North Carolina	581
627. An Act to regulate the sale of coal and coke in Wilkes County	581
628. An Act for the adoption of a standard form of agricultural lien and title note for Columbus, Robeson, Bladen, Brunswick and Duplin Counties	583
629. An Act to authorize the Board of Commissioners of Nash County to issue bonds for the purpose of funding the debt of the Mannings Township Road District	585
630. An Act to fix the terms of office of the officers of the Town of Murphy, Cherokee County	586
631. An Act to amend chapter sixty-seven, Private Laws of one thousand nine hundred and thirty-three, relating to the Police Court in the Town of Canton, Haywood County	587
632. An Act to prohibit the presence of fish nets and stakes in certain waters of Perquimans River	587
633. An Act to amend chapter one hundred eighty-three, Private Laws of one thousand nine hundred one, being the Charter of the Town of Leaksville, with reference to the taxing power of said town	588

CHAP.	PAGE
634. An Act to amend chapter two hundred and twenty of the Public-Local Laws of one thousand nine hundred and twenty-nine, entitled, "An Act to create a Peace Officers' Relief Fund for the City and County of Durham."	589
635. An Act to prohibit the sale of beer, ale, wine, or other intoxicating beverages in one mile of Glenville High School in Jackson County	589
636. An Act to amend chapter fifty-two of the Public-Local Laws of one thousand nine hundred twenty-nine relating to Recorder's Court of Leaksville Township in Rockingham County	590
637. An Act to amend chapter one hundred ninety-three of the Public-Local Laws of one thousand nine hundred and thirty-five, fixing the fees to be collected by the Clerk of the Recorder's Court of Granville County	590
638. An Act to amend the charter of the Town of Oxford, North Carolina	591
639. An Act to place all the law enforcement officers of Greene County under the supervision and control of the Sheriff of Greene County	591
640. An Act to authorize the governing authorities of the Town of Pantego in Beaufort County to execute an option agreement for the sale of certain lands situated in said town	592
641. An Act to amend chapter five hundred fifty-nine Public-Local Laws of one thousand nine hundred thirty-five relating to the establishment of special school districts for the purpose of authorizing the issuance of school building bonds and to levy taxes within such districts or units for the payment of said bonds an act being to include Gates County within the provisions of said bill	593
642. An Act to amend chapter five hundred seventy-eight of the Public-Local Laws of one thousand nine hundred eleven, as amended, and being the charter of the City of Kinston, so as to extend the corporate limits of said city, and to create the office of City Manager of said city	593
643. An Act to repeal chapter one hundred twelve, Public-Local Laws one thousand nine hundred twenty-five, relating to enforcement of the law against the manufacture and sale of intoxicating liquor in Vance County	597
644. An Act to clarify and amend House Bill one thousand eighty-eight of the present session of the General Assembly relative to the pay of precinct officers of New Hanover County	597
645. An Act to prohibit the maintenance of a junk yard within five hundred yards of any residence situated in any municipality in Columbus County	598

CHAP.	PAGE
646. An Act providing for a division of profits arising from the operation of liquor stores in Wilson County between the County and the municipalities in which such stores are operated	598
647. An Act to enlarge the term of office of the Register of Deeds for Yadkin County	599
648. An Act to amend House Bill eight hundred forty-two, entitled "To increase the terms of office of the Register of Deeds, County Auditor, and County Treasurer of Johnston County," ratified March thirteenth, one thousand nine hundred thirty-seven	599
649. An Act to prohibit the wrongful use of milk bottles, crates, cans and other containers of dairy products in Wake County. (Applicable also to Durham, Edgecombe, Buncombe and Wilson Counties.)	600
650. An Act to provide for an election relative to local supplements in administrative units or in school districts in Rowan and Gaston Counties	601
651. An Act to amend House Bill one hundred thirty-six, ratified March first, one thousand nine hundred thirty-six, being "An Act to create the office of City Attorney for the City of Charlotte and to designate the duties of the holder of said office and the salary attached thereto."	602

CAPTIONS OF THE PRIVATE LAWS

SESSION 1937

CHAP.	PAGE
1. An Act to encourage the Log Cabin Association, an eleemosynary organization in promoting reforestation and better farming methods in Jackson County	605
2. An Act to authorize the Revenue Commissioner to refund seventy dollars tax paid on gasoline used in ginning cotton.....	606
3. An Act to amend chapter number ten of the Private Laws of nineteen hundred and thirty-one, entitled "An Act to create a Commissioner of the Willow Dale Cemetery Fund for the City of Goldsboro, North Carolina"	607
4. An Act to authorize the registration of a copy of the H. W. Robinson map of Hickory.....	607
5. An Act to authorize the Commissioners of Union County to compensate Grover Cleveland Moore for injuries received while working on the highway.....	608
6. An Act to permit S. A. Hubbard and Charles A. Taylor, former officers of the defunct Central Bank and Trust Company in Buncombe County to foreclose deeds of trust, in which the said bank is the named trustee.....	609
7. An Act to amend the charter of the Young Men's Christian Association, of Asheville, North Carolina.....	610
8. An Act creating the Richmond Flying Club of Rockingham, North Carolina	610
9. An Act to authorize the Buncombe County Board of Education to convey certain lands to the American Enka Corporation.....	611
10. An Act to define the boundaries of Carvers Creek Cemetery, Carvers Creek Township, Bladen County, and to appoint Trustees for said cemetery	614
11. An Act for the relief of C. B. Skipper, Clerk of the Superior Court of Robeson County.....	614
12. An Act to repeal chapter three of the Private Laws of one thousand nine hundred and thirty-three relating to the sale of pulp timber on the Waynesville Watershed.....	615
13. An Act to authorize the Treasurer to pay the sum of fifty-three dollars and sixty cents (\$53.60) to the Capital Printing Company, Raleigh, North Carolina, for printing for the Office of the Secretary of State.....	616
14. An Act to authorize and empower the Executive Committee of the Board of Trustees of the University of North Carolina to surrender and release the right, title and interest of the University under the last will and testament of Judge William Preston Bynum, deceased	616

CHAP.	PAGE
15. An Act for the relief of Roy Edward Fisher, former State Highway Patrolman, for injuries received in line of duty.....	617
16. An Act to create a Peace Officers' Relief Fund for the County of Hertford	618
17. An Act authorizing Knox M. Lewis, of Robeson County, to practice veterinary medicine or surgery in Robeson and Hoke Counties.....	621
18. An Act to encourage industrial and civic development of the Town of Burnsville	621
19. An Act in relation to the death of Elmer' L. Hedgepeth, Jr., of Fairmont, North Carolina.....	621
20. An Act relative to the death of Doris Hughes, of Bertie County, North Carolina	622
21. An Act ratifying and validating the acts of William A. Stroud, former Clerk of the Superior Court of Wilkes County, in appointing trustees to take charge of and manage the affairs of the North Wilkesboro Academical and Industrial Institute for the colored race	623
22. An Act to amend chapter one of the Private Laws of the session of one thousand nine hundred thirty-one, relating to compensation of cotton weigher for Monroe, North Carolina.....	624
23. An Act to amend chapter four hundred and ninety-seven of the Private Laws of North Carolina, session one thousand nine hundred and seven, relating to the limits of the Town of Burgaw	624
24. An Act to amend House Bill number six hundred thirty-four of the present session of the General Assembly of North Carolina, relative to the Firemen's Pension Fund of Wilmington, North Carolina	625
25. An Act to provide compensation to Isaac H. Edwards for injury sustained by his daughter, Lucille Edwards, while riding on a school bus near Chocowinity in Beaufort County.....	626
26. An Act to create a Board of Trustees for the Firemen's Pension Fund of Wilmington, North Carolina, and to establish a permanent fund for the purposes herein set out.....	626
27. An Act to repeal the Charter of Claremont College at Hickory, North Carolina	631
28. An Act to amend chapter one hundred ninety-three, Private Laws of one thousand nine hundred twenty-three, relating to salaries of Town Officials of the Town of Enfield, Halifax County.....	632
29. An Act to amend chapter three hundred forty-four of the Private Laws of one thousand nine hundred seven, as amended, relating to the Charter of the City of Concord.....	633

CHAP.	PAGE
30. An Act to authorize and empower the Board of Commissioners of Transylvania County to remit taxes due on municipal golf course property owned and operated by the Town of Brevard.....	633
31. An Act to appoint a member of the Board of Trustees of the Police Pension Fund for Wilmington, North Carolina	634
32. An Act to authorize the Commissioners of Rowan County and the City Council of Salisbury, North Carolina to make certain tax adjustments with the Klumac Cotton Mills, Inc., of Salisbury, North Carolina	634
33. An Act in relation to the death of Nettie Edwards of Person County, North Carolina, injured fatally by a school bus.....	635
34. An Act to provide compensation to the parents of Zula Mae Turner, deceased, who was killed by a school bus at Venable School in Buncombe County.....	636
35. An Act in relation to the death of Marvin King, son of Felix King, of Richlands, R. F. D., North Carolina.....	637
36. An Act to amend chapter twenty-two, section fifteen, of the Private Laws of one thousand nine hundred thirty-five, relative to Utilities Commission for the City of Lexington, North Carolina	638
37. An Act for the relief of H. V. Rose, Clerk of the Superior Court of Johnston County	639
38. An Act to reimburse C. N. Mease, Chief State Refuge Warden, for property of his destroyed in the State Fair fire of one thousand nine hundred thirty-four.....	639
39. An Act for the relief of the estate of Sam W. Pinnell of Warren County, on account of death received while in the course of acting and being deputized to assist in the performance of duties of Deputy Sheriff.....	640
40. An Act to create a Pension and Relief Fund for the members of the Police and Fire Departments of the City of Greenville, North Carolina	641
41. An Act to authorize the Board of Education of Davie County to make deed to certain school property adjoining Fork Baptist Church	644
42. An Act to provide compensation to Ernest Costner, father of Hazel Costner, deceased, for injury resulting in the death of Hazel Costner while riding on a school bus near the Ban-Oak School in Catawba County.....	645
43. An Act to amend chapter two hundred forty-three of the Private Laws of one thousand nine hundred eleven, and to validate certain acts of the present board of Aldermen and the Governing Body of the City of Statesville and all prior Boards of Aldermen and Governing Bodies of the City of Statesville.....	646

CHAP.	PAGE
44. An Act to amend chapter two hundred and sixty-one, Private Laws of one thousand nine hundred and thirty-five, so as to permit the sale of family groceries wherever the sale of meat and/or sea food is permitted in Elizabeth City.....	646
45. An Act to reimburse the Chemists of the Gasoline and Oil Inspection Laboratory of the Department of Revenue for losses incurred in a laboratory fire on November ninth, one thousand nine hundred thirty-five.....	647
46. An Act to amend chapter one hundred and twenty-four, Private Laws of one thousand nine hundred and twenty-five, amending the Charter of the Town of Banner Elk.....	648
47. An Act to amend the Charter of the Town of Winton, Hertford County	648
48. An Act to authorize payment to J. B. Armstrong, of Pender County, for injuries to his daughter, Doris Armstrong, in a school bus accident	649
49. An Act to amend section four, chapter one hundred four of the Private Laws of one thousand nine hundred thirty-one, relating to sale of market house in the Town of Elizabeth City.....	650
50. An Act to provide compensation to Ira A. Broadaway, Clarence Hartley and Scott Weant, fathers of public school children, Grady Weant, Curtis Hartley, Frances Louise Broadaway, Mary J. Broadaway and Amanda Broadaway, who were killed while riding in a public school bus to Woodleaf Public School in Rowan County; and to Ira A. Broadaway and J. W. McCullough, fathers of public school children, Roy Broadaway and Nell McCullough, who were seriously injured in the same wreck	650
51. An Act to reimburse Gordon Brooks, of Chatham County, North Carolina, for and on account of money expended by him as result of an injury sustained on the second day of March, one thousand nine hundred and thirty-six, while he was employed as a truck driver for the North Carolina State Highway Commission	652
52. An Act to relieve or compensate Emerson Gilmer for permanent injuries received while he was engaged in the act of sawing wood for the Dudley High School located in the City of Greensboro, North Carolina	653
53. An Act to incorporate the Calvary Baptist Church of the City of Raleigh, Wake County, North Carolina.....	654
54. An Act to amend chapter seventy-three of the Public Private Laws of one thousand eight hundred ninety-seven as amended by chapter four hundred seventy of the Public Private Laws of one thousand nine hundred eleven, relating to the Charter of the Grand Lodge of the Knights of Pythias of North Carolina.....	656
55. An Act to authorize payment to E. D. Christenbury, of Montgomery County, for injuries to his daughter in a school bus accident.....	656

PUBLIC-LOCAL LAWS

OF THE

STATE OF NORTH CAROLINA

SESSION 1937

H. B. 38

CHAPTER 1

AN ACT TO REGULATE THE GRAND JURY OF WAYNE
COUNTY, NORTH CAROLINA

The General Assembly of North Carolina do enact:

SECTION 1. That at the first Criminal term of the Superior Court of Wayne County, after the ratification of this act, there shall be chosen a Grand Jury as now provided by law consisting of eighteen members. The first nine members of said Grand Jury so chosen at said term shall serve for the period of one year, or until the first Criminal term in the year following their appointment, the second nine members of said Grand Jury so chosen shall serve for the term of six months, or until the first day of July after the ratification of this act, and thereafter at the first Criminal term after the first day of January and July of each year, there shall be chosen nine members of said Grand Jury to serve for the term of one year.

Selection of Grand
Jurors in Wayne
County.

SEC. 2. The presiding judge of the first Criminal term after January first and at the first Criminal term after July first of each year, shall appoint a foreman, who shall serve for the period of six months; and said judge may appoint an assistant foreman to serve in the absence of or during the sickness of the regular foreman.

Foreman and
assistant foreman
appointed by judge.

SEC. 3. That this act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 14th day of January, A. D. 1937.

H. B. 17

CHAPTER 2

AN ACT TO REPEAL CHAPTER TWO OF THE PUBLIC
LOCAL LAWS OF ONE THOUSAND NINE HUNDRED
AND THIRTY-FIVE AND TO SAFEGUARD THE PUBLIC
FUNDS OF ASHE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter Two, Public-Local Laws one thousand nine hundred and thirty-five be and the same is hereby repealed.

Ch. 2, Public-
Local Laws, 1935,
repealed.

Depositories authorized for Ashe County funds.

Proper security by bank required.

Designation of depository by Commissioners.

Alternative depositories if banks named fail to furnish security.

Alternative depository must comply with laws and be approved by County Commissioners.

Applies to Ashe County only.

Conflicting laws repealed.

SEC. 2. That the Sheriff, the Treasurer, the Clerk of the Superior Court, the County Auditor, the Register of Deeds and any other County officials of Ashe County are hereby authorized to deposit any public funds of the County of Ashe in either the First National Bank of West Jefferson, North Carolina, or the Bank of Ashe, Jefferson, North Carolina, *Provided* that said Banks or either of them will give the proper security for said funds as required by the general laws and statutes of the State of North Carolina; and *provided* that said Banks or either of them shall be duly designated as a depository of public funds of the County of Ashe by resolutions duly adopted by the Board of County Commissioners of Ashe County.

SEC. 3. That in the event that neither the First National Bank of West Jefferson, North Carolina, nor the Bank of Ashe, Jefferson, North Carolina, should make the necessary arrangements to provide the security for public funds required by the general laws and statutes of North Carolina, said public officials are hereby authorized to deposit the public funds of Ashe County in any Bank in the State of North Carolina if and when said Bank has complied with the general laws and statutes with reference to the security for public funds and has been approved as a depository of public funds of the County of Ashe by resolutions duly adopted by the Board of County Commissioners of Ashe County.

SEC. 4. That this Act shall apply to Ashe County only.

SEC. 5. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 6. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 16th day of January, A. D. 1937.

H. B. 28

CHAPTER 3

AN ACT TO PERMIT THE COUNTY COMMISSIONERS OF LINCOLN COUNTY TO SELL CERTAIN LANDS BELONGING TO THE COUNTY.

The General Assembly of North Carolina do enact:

Commissioners of Lincoln County authorized to sell certain land in Ironton Township.

One acre in county home tract.

SECTION 1. The Board of Commissioners for the County of Lincoln are hereby authorized and empowered, in their discretion, and at such price as they may agree upon, to sell at public or private sale, and convey by appropriate deed approximately one acre of land from the eastern portion of the tract of land situate, lying and being in Ironton Township, belonging to the County of Lincoln, on which the home for the aged and infirm is situated, which portion to be cut off faces Highway Number twenty-seven.

SEC. 2. That the proceeds derived from the sale of the aforesaid land shall be placed in the general fund of said County.

Proceeds placed
in general fund.

SEC. 3. That this Act shall be in full force and effect from and after ratification.

In the General Assembly read three times and ratified, this the 16th day of January, A. D., 1937.

S. B. 9

CHAPTER 4

AN ACT TO CREATE A SINKING FUND COMMISSION FOR BUNCOMBE COUNTY AND CERTAIN BODIES POLITIC AND MUNICIPAL CORPORATIONS THEREIN, AND TO DEFINE THE POWERS AND DUTIES THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. There is hereby created a Commission to be known as the Sinking Fund Commission for Buncombe County, which Commission shall have and possess all the powers conferred by this act and such other powers as may be useful or necessary to permit it fully to carry out the purposes of this act. Said Commission is hereby declared to be a corporation with perpetual succession, the right to adopt and use a corporate seal, to sue and to be sued and to hold, manage and control the moneys and properties received by it under the provisions of this act, and it shall have the right to make reasonable rules and regulations for the conduct of its business.

Sinking Fund Commission created for Buncombe County.

SEC. 2. The said Sinking Fund Commission shall consist of six members, all of whom shall be qualified electors of Buncombe County. D. Hiden Ramsey, W. M. Redwood, Francis J. Hazel, R. Lee Ellis, T. J. Johnson and Tench C. Coxe, Jr. are hereby appointed members of said Commission to hold office as follows: D. Hiden Ramsey as Commissioner Number One to serve until January first, one thousand nine hundred and thirty-nine; W. M. Redwood as Commissioner Number Two to serve until January first, one thousand nine hundred and thirty-nine; Francis J. Hazel as Commissioner Number Three to serve until January first, one thousand nine hundred and forty-one; R. Lee Ellis as Commissioner Number Four to serve until January first, one thousand nine hundred and forty-one; T. J. Johnson as Commissioner Number Five to serve until January first, one thousand nine hundred and forty-three; and Tench C. Coxe, Jr. as Commissioner Number Six to serve until January first, one thousand nine hundred and forty-three, and until the appointment and qualification of their respective successors.

Rights and powers.

Membership and qualifications.

Original members named.

Terms of original members.

SEC. 3. Not less than thirty days, and not more than sixty days, prior to the expiration of the term of office of each member of said Commission, his successor shall be appointed for the

Successor appointments.

Terms of 5 years.

By whom successors appointed.

Vacancy appointments.

Forfeiture of membership on commission.

Removal of members for misfeasance, etc.

Quorum.

First meeting of Commission for organization.

Non-member Secretary provided.

Bond.

Salary.

Selection of attorney.

Meetings: time and place.

Special meetings.

term of five years; the successors to Commissioners Numbers One and Three shall be appointed by the governing body of the County of Buncombe, the successors to Commissioners Numbers Two and Four shall be appointed by the governing body of the City of Asheville, and the successors to Commissioners Number Five and Six shall be appointed by the Board of Education of Buncombe County.

SEC. 4. In the event of the decease, resignation or disqualification of any member of the Commission prior to the expiration of his term of office, the vacancies shall be filled for the unexpired term by appointment to be made by the body authorized to appoint his successor as provided in the preceding section.

SEC. 5. Any member of the Commission who removes his domicile from Buncombe County, or who is convicted of any crime against the State or against the United States, or who is adjudged insolvent or bankrupt, or who becomes incapacitated to perform his duties, shall forfeit his membership on the Commission and it shall be the duty of the Commission to declare his membership vacant and his successor shall be appointed for the unexpired term of such member as herein provided. Any member may be removed by a vote of not less than two-thirds of the whole Commission for misfeasance or malfeasance in office or for neglect of his duties as a member, or he may be removed on similar grounds by judgment of any court of competent jurisdiction, at the suit of a taxpayer.

SEC. 6. Except for the purpose of removal of a member and declaring vacancies in the Commission, three members of the Commission shall constitute a quorum for the transaction of business, and the vote of a majority of members present at any duly constituted meeting shall be valid and binding.

SEC. 7. The first meeting of the Commission shall be held within ten days after the ratification of this act, at which meeting, or any adjournment thereof, the Commission shall organize, adopt by-laws or rules and regulations to govern its procedure and the conduct of the business and affairs of the Commission and appoint a chairman and vice-chairman who shall serve as such during the pleasure of the Commission and until their successors are appointed by the Commission. At such meeting the Commission shall appoint a secretary, not a member of the Commission, who shall give bond for the faithful performance of his duties in the sum of not less than Twenty-five Thousand Dollars (\$25,000); he shall receive a salary to be fixed by the Commission and shall hold his office at the pleasure of the Commission. At said meeting the Commission shall select and appoint an attorney of the Commission and fix his compensation, such attorney to serve during the pleasure of the Commission.

SEC. 8. Regular or stated meetings of the Commission shall be held at such time and place as may be provided by the Commission in its by-laws or rules and regulations, and special meetings may be held on the call of the chairman after such

notice to members as the Commission may prescribe in its by-laws or rules and regulations.

SEC. 9. The Commission shall have the custody, supervision and management of all sinking funds, revolving funds and of all other funds dedicated by law or contract to the payment or retirement of the principal or interest, or both, of the bonded indebtedness of Buncombe County and all bodies politic and municipal corporations therein to which this act is applicable. Each of said funds shall be managed and applied by said Commission in conformity with the ordinances, orders or resolutions authorizing the issuance of the bonds and providing means for the payment or retirement of the principal or interest thereof, and for which said funds were, or may hereafter be, established or created, or contracted or provided to be created. Such funds shall include any fund, the creation of which has been, or shall be, provided for in any ordinance, order or resolution of the governing body of Buncombe County or any of the aforesaid municipalities or bodies politic, or municipal corporations therein, providing for the issuance of bonds of such county, body politic or municipal corporation.

Commission to have custody, supervision and management of all sinking funds, etc.

Management of funds.

Source of funds.

The Board of Commissioners for the County of Buncombe, the governing body of the City of Asheville and the governing body of each body politic and municipal corporation to which this act shall be applicable, shall immediately transfer to the custody of the Commission all funds to which this act shall be applicable and the Commission shall give its receipt therefor.

Funds transferred to Commission by authorities of Buncombe County and City of Asheville.

SEC. 10. The Commission within the first ten days after its organization and within the first ten days of each fiscal year thereafter, shall prepare and adopt a budget of expense for its own operations and furnish a copy thereof to the Board of Commissioners for the County of Buncombe and the governing body of the City of Asheville. Such portion of such budget as is properly chargeable to Buncombe County and to the City of Asheville under the provisions of Section eleven of this Act, shall be included in the respective budgets of said County and City when approved and adopted by the respective governing bodies of each unit.

Adoption of budget by Commission.

Included in budgets of Buncombe County and Asheville when approved.

SEC. 11. The reasonable and necessary expenses of the Commission, including the compensation of its officers and employees, shall be paid sixty percent thereof by the County of Buncombe and forty percent thereof by the City of Asheville. The chairman of the Commission shall, on or about the first day of each calendar month, certify to the governing bodies of Buncombe County and the City of Asheville the expenses of the Commission incurred during the preceding month, and the governing bodies of said County and City shall forthwith, and within five days thereafter, cause to be paid to the Commission the percent of such expenses required to be paid as aforesaid. All such payments shall be charged to the general fund of the body politic or municipal corporation making the same.

Necessary expenses of Commission paid by Buncombe County and Asheville.

Expenses charged to general fund of county and city.

Act applicable to Buncombe County, City of Asheville, and certain districts.

SEC. 12. This Act shall be applicable to Buncombe County, the City of Asheville, and to all Consolidated, Special School Tax and Special School Taxing Districts and all Sanitary Water, Watershed and Sewer Districts in Buncombe County as now or hereafter constituted.

Conflicting laws repealed.

SEC. 13. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 14. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 18th day of January, A. D. 1937.

S. B. 30

CHAPTER 5

AN ACT PERTAINING TO THE DUTIES AND SALARIES OF PUBLIC OFFICERS OF NORTHAMPTON COUNTY

The General Assembly of North Carolina do enact:

Salary of Superior Court Clerk, Northampton County.

SECTION 1. That the Clerk of the Superior Court of Northampton County shall receive a salary of twenty-eight hundred dollars per annum, in lieu of all other compensation whatsoever, except he shall be allowed a salary of two hundred dollars per annum for services rendered as Clerk to the Records Court and Judge of the Juvenile Court, and he shall be allowed one clerk or assistant at a salary of nine hundred dollars per annum.

Assistant provided.

Salary of Register of Deeds, Northampton County.

SEC. 2. The Register of Deeds of Northampton County shall receive a salary of twenty-eight hundred dollars per annum, and shall also receive a salary of two hundred dollars per annum for services rendered as Clerk to the Board of Commissioners for said County, in lieu of all other compensation whatsoever, and shall be allowed one clerk or assistant at a salary of nine hundred dollars per annum.

Assistant provided.

Salary of Sheriff, Northampton County.

SEC. 3. That the Sheriff of Northampton County shall receive a salary of thirty-six hundred dollars per annum, in lieu of all other compensation whatsoever, and he shall collect the taxes of all kinds paid in said County by corporations, and shall not receive an additional compensation therefor. But they may pay him mileage and expense account when he is required to go out of the county on business of his office.

Mileage and expense account when on official business out of county.

No additional compensation for extra services.

SEC. 4. The officers hereinbefore mentioned shall faithfully perform all duties of their several offices imposed upon them by law or the County Commissioners, and shall receive no other compensation or allowance whatsoever for any extra additional service rendered to the county, and they shall be liable to all the pains and penalties now or hereafter provided by law for failure to perform the duties of their several offices.

Officers liable to penalties for failure to perform duties.

SEC. 5. The officers herein mentioned and provided for by this Act shall collect all fees, commissions, emoluments of every kind belonging to their respective offices, and shall pay over the same to the Treasurer or Financial Agent of Northampton County, who shall hold the same as a part of the general county fund and subject to such orders as may be made by the Board of County Commissioners of said County.

Fees, commissions, etc. payable to Financial Agent, Northampton County.

Part of general county fund.

SEC. 6. The salaries herein provided for shall be paid by the Treasurer or Financial Agent of said County upon warrant or order from the Board of Commissioners of Northampton County to the said officers and clerks or assistants in monthly installments.

Salaries paid by Financial Agent on order of County Commissioners.

SEC. 7. The officers hereinbefore required to turn over to the Treasurer or Financial Agent of Northampton County, moneys coming into their hands, shall make settlement with said Treasurer or Financial Agent of said County on the First Monday in each month, and the County Commissioners may at any time require said officers or any of them to exhibit to them all books and accounts showing all moneys turned over to the Treasurer or Financial Agent under the provisions of this act.

Settlement by officers on first Monday each month.

Books and accounts exhibited to Commissioners upon demand.

SEC. 8. That the County Auditor of Northampton County shall receive a salary of twenty-eight hundred dollars per annum, and he shall receive two hundred dollars per annum for help in his said office, and the said County Auditor shall be required in addition to the duties imposed upon him already by law, to prepare all tax books and tax receipts of said County, and shall also act as county tax supervisor, and shall receive no additional salary therefor.

Salary of Auditor, Northampton County.

Additional duties without extra salary.

SEC. 9. That the Board of County Commissioners of Northampton County shall furnish the officers provided for in this Act all necessary stationery, typewriters, stamps, books and other necessary equipment which is necessary and required in the discharge of their respective duties.

Office supplies furnished by Commissioners.

SEC. 10. That the County Commissioners of said County shall pay all premiums on bonds required to be given by the several officers of said County, out of the general fund of said County.

Bond premiums paid by County Commissioners.

SEC. 11. That the County Commissioners of Northampton County shall pay the jailer or keeper of the common jail of Northampton County the sum of one dollar per day for each prisoner taken care by said jailer, and they shall pay said jailer in addition thereto fifty cents for receiving each prisoner in said jail and shall pay fifty cents to him upon the release of each prisoner from said jail, and his fees and allowances herein provided for shall be paid monthly by said Board of County Commissioners.

Jailer's allowances, Northampton County.

Paid monthly.

SEC. 12. That anyone violating any of the provisions of this Act shall be guilty of a misdemeanor and punishable by fine or imprisonment or both.

Violation of Act a misdemeanor.

Effective date.

SEC. 13. That this Act shall be effective as of the First Monday in December, one thousand nine hundred thirty-six.

Conflicting laws repealed.

SEC. 14. That all laws and clauses of laws, whether Local or State laws, in conflict with this Act are hereby repealed.

In the General Assembly read three times and ratified, this the 18th day of January, A. D. 1937.

S. B. 4

CHAPTER 6

AN ACT TO FURTHER AMEND CHAPTER TWO HUNDRED AND NINE OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND SEVEN AMENDING THE CHARTER OF THE CITY OF ROCKY MOUNT AUTHORIZING THE CONSTRUCTION AND OPERATION OF A MUNICIPAL GYMNASIUM AND VALIDATING BONDS ISSUED FOR THE PURPOSE OF SECURING FUNDS FOR ITS CONSTRUCTION.

The General Assembly of North Carolina do enact:

Ch. 209, Private Laws, 1907, relating to charter of Town of Rocky Mount, amended.

SECTION 1. That Chapter Two Hundred and Nine of the Private Laws of one thousand nine hundred and seven entitled, "An Act to revise and consolidate the Charter of the Town of Rocky Mount, to be hereafter known as the City of Rocky Mount," as amended, shall be and the same is hereby further amended by adding as sub-division thirty-nine of Section Forty thereof the following:

Provision for municipal gymnasium.

39. To acquire lands by purchase, lease, gift, condemnation or otherwise as a site for a Municipal Gymnasium and to construct thereon a gymnasium for the use of its citizens and particularly pupils of its public schools and to equip, develop, maintain and operate the same, to lease the same for such period of time and upon such conditions and for such rental as the Board of Aldermen of the City of Rocky Mount may determine; to prescribe rules and regulations for the operation and management of the same; to use, in its discretion, for the purpose of acquiring, erecting and maintaining the said gymnasium funds from the general revenue of the City or income from its municipal plants or funds derived from the sale of bonds of the said City, the bonds to be issued pursuant to the provisions of the Municipal Finance Act.

Source of funds to provide for gymnasium.

City ordinance authorizing bond issue validated.

SEC. 2. That the ordinance adopted by the Board of Aldermen of said City of Rocky Mount on the twenty-first day of November, one thousand nine hundred and thirty-five, authorizing the issuance of bonds of said City of an aggregate principal amount not exceeding thirty thousand dollars (\$30,000), for the purpose of constructing, at the expense of the City at large, a gymnasium, for the use of the inhabitants of the City of Rocky Mount, and particularly the pupils in the public schools of said

City, and all acts and proceedings done or taken in or about the adoption of said ordinance and in or about the calling, holding or the determination of the result of the special election held in said City on the twenty-eighth day of January, one thousand nine hundred and thirty-six, at which election a majority of the qualified voters of said City voted to approve said ordinance and the issuance of the bonds authorized thereby and the levy of a tax sufficient to pay the principal of and interest on said bonds as such principal and interest become due, or in or about the registration of voters for said election, are hereby legalized and validated, notwithstanding any want of power of said Board of Aldermen to adopt said ordinance or to call or hold said election, and notwithstanding any defect or irregularity in said acts and proceedings. The Board of Aldermen of said City is hereby authorized to issue said bonds pursuant to and in accordance with said ordinance and pursuant to and in accordance with The Municipal Finance Act, and the acts amendatory thereof heretofore adopted, and to levy annually a tax sufficient to pay the principal of and interest on said bonds as the same shall become due and payable.

Special election
authorizing bond
issue validated.

Board of Aldermen
of Rocky Mount
authorized to
issue bonds.

Tax levy authorized.

SEC. 3. That the Trustees of the Rocky Mount Graded School District and/or Rocky Mount School Administrative Unit, be and they are hereby authorized, in their discretion, to convey or lease to the said City of Rocky Mount a portion of the Rocky Mount High School lot or any other land belonging to the said Trustees upon such terms and conditions as they may deem advisable as a site for the gymnasium to be erected by the City of Rocky Mount, and to enter into such arrangement as they may deem advisable for securing the use of such gymnasium for the pupils attending the schools of said unit. The said Trustees are further authorized and empowered to make expenditures from the funds allotted to the said unit for the equipment, maintenance and operation of the said gymnasium.

Trustees, Rocky
Mount Graded School
District, Rocky
Mount School Ad-
ministrative Unit,
authorized to con-
vey or lease land
for gymnasium.

Use of gymnasium
for school pupils
by arrangement.

Expenditures by
trustees authorized.

SEC. 4. Neither the City of Rocky Mount nor the members of its governing body, nor the Trustees of the Rocky Mount Graded School Administrative Unit shall be civilly liable for personal injuries sustained or alleged to have been sustained or resulting from its erection, operation or maintenance.

Exemption from
civil liability for
personal injuries.

SEC. 5. (1) All laws or clauses of laws in conflict herewith are hereby repealed.

Conflicting laws
repealed.

(2) This act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 18th day of January, A. D. 1937.

S. B. 29

CHAPTER 7

AN ACT TO REGULATE THE GRAND JURY OF MECKLENBURG COUNTY, NORTH CAROLINA

The General Assembly of North Carolina do enact:

Drawing Grand Jury,
Mecklenburg County,
for Spring term,
1937.

SECTION 1. That at the first regular term of the Criminal Court held for Mecklenburg County during the Month of February, one thousand nine hundred and thirty-seven, there shall be drawn a Grand Jury composed of eighteen men, the presiding judge shall charge them as provided by law, and they shall serve during the remainder of the Spring one thousand nine hundred and thirty-seven Term for the trial of criminal cases in Mecklenburg County.

Drawing Grand Jury,
Mecklenburg County,
after Spring term,
1937.

SEC. 2. Thereafter at the first Fall and Spring Terms of the Criminal Courts held for Mecklenburg County, there shall be drawn a Grand Jury composed of eighteen men, the presiding judge shall charge them as provided by law, and they shall serve during the remaining Fall and Spring Terms of the Criminal Courts for Mecklenburg County respectively.

Conflicting laws
repealed.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of January, A. D. 1937.

H. B. 11

CHAPTER 8

AN ACT TO ENABLE THE COUNTY OF NEW HANOVER AND THE CITY OF WILMINGTON TO MAKE PROPER PROVISION FOR THE MAINTENANCE OF THE INDIGENT SICK AND AFFLICTED POOR.

Preamble: Annual
appropriation to
James Walker Mem-
orial Hospital by
Wilmington and
New Hanover
County.

Whereas, the Board of Commisisoners of New Hanover County and the Council of the City of Wilmington have been making equal annual appropriations toward the suport of James Walker Memorial Hospital, of Wilmington, North Carolina, in accordance with and under the provisions of Chapter sixty-six, of the Public-Local Laws of the General Assembly passed at the Session in the year of one thousand nine hundred and fifteen; and

Medical attention
and treatment for
indigents by hos-
pital.

Whereas, the said Hospital has been providing medical attention and hospital treatment for the indigent sick and afflicted poor of the City of Wilmington and County of New Hanover, as required by the Council of the City of Wilmington and the Board of Commisisoners of the County of New Hanover; and

Increase of indigent
sick and of demand
for proper care.

Whereas, there has been a substantial increase in the number of indigent sick and afflicted poor and an increase in the demand for their proper care and maintenance; and

Whereas, the appropriations heretofore made to said Hospital

for the purposes aforesaid are now insufficient to properly care for and maintain the indigent sick and afflicted poor of the City of Wilmington and County of New Hanover and the present facilities of said Hospital have been found to be inadequate for said purposes, and it is now necessary to make additions to said Hospital and increase its facilities in order to enable it to more adequately provide for and maintain the indigent sick and afflicted poor of the said City and County, as required by the said City and County; and

Whereas, the Board of Commissioners of New Hanover County and the Council of the City of Wilmington, after due consideration, find that a minimum annual appropriation of Twenty-five Thousand Dollars (\$25,000.00) each by said respective Boards to the said Hospital for the purposes aforesaid will be required to give proper medical and hospital attention to the indigent sick and afflicted poor of said City and County and to provide for their maintenance, and that such maintenance and care is a necessary expense, and that provisions for the poor and unfortunate is one of the first duties of government and their proper care and maintenance is required under the law and constitution of the State of North Carolina, and the James Walker Memorial Hospital, having agreed to give proper medical care and attention to the indigent sick and afflicted poor as required by said respective municipalities upon their appropriating annually the sums of money aforesaid; *Now, Therefore*,

The General Assembly of North Carolina do enact:

SECTION 1. That the foregoing agreement entered into between the Board of Commissioners of New Hanover, the Council of the City of Wilmington, and the James Walker Memorial Hospital in said City, whereby it is agreed that said Hospital will provide proper medical and hospital attention for the care and maintenance of the indigent sick and afflicted poor of said City and County upon the payment to said Hospital annually, for a period of three successive years, of the sum of Twenty-five Thousand Dollars (\$25,000.00), each, by said respective municipalities, is hereby ratified and approved. Said payments shall be made in equal monthly installments, beginning with the fiscal year starting July first, one thousand nine hundred and thirty-seven, and until the beginning of said fiscal period, the appropriations now being made by said municipalities to said Hospital shall continue to the end of the current fiscal year. The said expenditures by this act authorized are hereby found to be proper and necessary for the adequate maintenance and care of the indigent sick and afflicted poor of said City and County, and the same constitute a necessary expense, and is one of the first duties of government and required under the laws and constitution of the State of North Carolina.

SEC. 2. That the Board of Commissioners of New Hanover County and the Council of the City of Wilmington are hereby authorized, empowered and directed to carry out and perform

Present appropriations insufficient.

Need to increase facilities.

Annual \$25,000 appropriation each by city and county required.

Care and maintenance of indigents a necessary expense.

Agreement between hospital and municipalities.

Agreement ratified and approved.

Medical and hospital attention for indigents.

Annual payments to hospital by municipalities.

Monthly installments.

Expenditures found proper and necessary.

Authorities of city and county directed to perform contract.

Authorities of city and county directed to pay \$25,000 each annually to hospital.

their contract and agreement with the James Walker Memorial Hospital, in the City of Wilmington, and the said Board of Commissioners and the City Council are each authorized, empowered and directed to pay annually, for a period of three (3) successive years, to the said James Walker Memorial Hospital the sum of Twenty-five Thousand Dollars (\$25,000.00), to be paid in the manner and at the times as set forth in Section one, to enable it to increase its facilities and make additions thereto to care for and maintain the indigent sick and afflicted poor of the City of Wilmington and County of New Hanover, as required by said respective municipalities.

Provision for additional tax levy.

SEC. 3. That in the event said Board of Commissioners of New Hanover County and the Council of the City of Wilmington, in order to make and pay, during the said periods of three (3) successive years, the aforesaid annual appropriations and payments to the said Hospital, find it respectively necessary to annually levy any additional taxes for the special purposes aforesaid, they and each of them, and their respective successors in office, are hereby authorized, empowered and directed to levy and collect such additional taxes as may be necessary for the purpose of complying with and making annually, during said period, the said appropriations for the purposes aforesaid.

Conflicting laws repealed.

SEC. 4. That all laws and clauses and parts of laws, private, public-local, and public, in conflict with this Act or any provision hereof, are hereby repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of January, A. D. 1937.

H. B. 57

CHAPTER 9

AN ACT RELATING TO THE ISSUANCE OF TWO HUNDRED THOUSAND (\$200,000) DOLLARS REFUNDING BONDS OF WAYNE COUNTY.

Preamble:
Refunding bonds, Wayne County, authorized by Ch. 66, Public-Local Laws, 1935.

Whereas, by Chapter sixty-six, Public Local-Laws of one thousand nine hundred and thirty-five, the issuance of certain refunding bonds of Wayne County was authorized, and the outstanding bonded indebtedness to be refunded by said refunding bonds and the proceedings of the Board of Commissioners of said County up to an including the final passage of the bond orders authorizing the refunding bonds were validated; and

Issue authorized to be in accord County Finance Act, Local Government Act.

Whereas, said chapter provides that the refunding bonds be issued in accordance with the provisions of the County Finance Act, as amended, and the Local Government Act, as amended; and

Whereas, some of the refunding bonds so authorized, including the two hundred thousand (\$200,000) dollars Refunding Bonds hereinafter mentioned, have not been issued; and

\$200,000 refunding bonds not issued.

Whereas, the Board of Commissioners of said County on November sixteenth, one thousand nine hundred and thirty-six, finally passed a bond order renewing the authority to issue and authorizing the issuance of two hundred thousand (\$200,000) dollars Refunding Bonds for the purpose of refunding the two hundred thousand (\$200,000) dollars five and one-half per cent (5½%) Refunding Bonds dated March first, one thousand nine hundred and twenty-two, maturing March first, one thousand nine hundred and thirty-seven, and described in paragraph (2) of the first preamble of said Chapter sixty-six; and

Bonds authorized by bond order of November 16, 1936.

Whereas, on January fourth, one thousand nine hundred and thirty-seven, said Board passed an order amending the above mentioned bond order finally passed on November sixteenth, one thousand nine hundred and thirty-six: *Now, Therefore*,

Bond order of Nov. 16, 1936, amended.

The General Assembly of North Carolina do enact:

SECTION 1. The bond order finally passed on November sixteenth, one thousand nine hundred and thirty-six, as amended by an order passed on January fourth, one thousand nine hundred and thirty-seven, and mentioned in the foregoing preambles, and all publications thereof and all proceedings of the Board of Commissioners of said County heretofore taken in connection with the issuance of said two hundred thousand (\$200,000) dollars Refunding Bonds, be and the same are hereby validated and confirmed, and the Board of Commissioners of said County is hereby authorized and empowered to issue said two hundred thousand (\$200,000) dollars Refunding Bonds in accordance with the provisions of said Chapter sixty-six, Public Local-Laws of one thousand nine hundred and thirty-five, the County Finance Act, as amended, and the Local Government Act, as amended.

Bond order of Nov. 16, 1936, as amended, and all proceedings thereunder, validated.

Commissioners, Wayne County, authorized to issue \$200,000 refunding bonds.

SEC. 2. The powers granted by this act are granted in addition to and not in substitution for existing powers of Wayne County.

Powers granted in addition to existing powers.

SEC. 3. All laws and clauses of laws in conflict with this act be and the same are hereby repealed.

Conflicting laws repealed.

SEC. 4. This act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of January, A. D. 1937.

H. B. 33

CHAPTER 10

AN ACT TO POSTPONE THE FORECLOSURE OF TAX
SALES CERTIFICATES IN MACON COUNTY

The General Assembly of North Carolina do enact:

Commissioners,
Macon County, di-
rected to postpone
foreclosure of tax
sale certificates.

No further payment
of fees and expenses.

Conflicting laws
repealed.

SECTION 1. That the Board of County Commissioners of Macon County are hereby authorized, empowered and directed to postpone the foreclosure of all tax sale certificates in Macon County for a period of ninety days from the ratification of this act no further payment shall be made by said Commissioners of any Sheriff's fees, lawyer's fees, advertising or any other expense in connection with the foreclosure of said tax sales certificates during said ninety day period.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 3. That this act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of January, A. D. 1937.

H. B. 66

CHAPTER 11

AN ACT TO RELIEVE THE TAX PAYERS OF BEAUFORT
COUNTY AND THE POLITICAL SUB-DIVISIONS
THEREIN.

The General Assembly of North Carolina do enact:

Payment of 1932
and prior taxes,
Beaufort County,
without interest,
penalties, etc.,
allowed.

Payment of 1933-36
taxes, with interest,
penalties, etc., a
prerequisite.

Effective period.

Conflicting laws
repealed.

SECTION 1. That all persons owing taxes on land to Beaufort County or any of the political sub-divisions thereof, for the year one thousand nine hundred and thirty-two and years prior thereto, may discharge the same in full by paying the principal amount of said taxes without the addition of any interest, penalties, attorney's fee or any other cost whatsoever, *Provided* that at the time or before said payment all taxes for the years one thousand nine hundred thirty-three, one thousand nine hundred thirty-four, one thousand nine hundred thirty-five and one thousand nine hundred thirty-six, together with all interest, penalties, costs and attorney's fee accrued thereon shall have been paid in full and all tax collecting officers of the said county or political sub-divisions thereof are to be discharged from liability upon accounting for the taxes as herein provided.

SEC. 2. All rights and privileges herein granted shall cease and determine at midnight on December thirty-first, one thousand nine hundred thirty-seven.

SEC. 3. All laws and clauses of law in conflict with the provisions of this act are hereby repealed.

SEC. 4. This Act shall apply only to Beaufort County and the political sub-divisions thereof.

SEC. 5. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 25th day of January, A. D. 1937.

S. B. 41

CHAPTER 12

AN ACT TO EXTEND THE TIME FOR INSTITUTING FORECLOSURE PROCEEDINGS ON CERTIFICATES OF SALE FOR LAND SOLD FOR TAXES FOR THE YEAR ONE THOUSAND NINE HUNDRED AND THIRTY-THREE IN CAMDEN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the time for instituting action for the foreclosure of certificates of sale for land sold for taxes in Camden County for the year one thousand nine hundred and thirty-three be, and the same is hereby extended to October first, one thousand nine hundred and thirty-seven.

Time extended for tax foreclosures, 1933, Camden County.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 28th day of January, A. D. 1937.

H. B. 73

CHAPTER 13

AN ACT TO VALIDATE CERTAIN BONDS OF THE TOWN OF ROCKINGHAM AND AUTHORIZING THE ISSUANCE OF REFUNDING AND FUNDING BONDS OF SAID TOWN.

The General Assembly of North Carolina do enact:

SECTION 1. There are hereby validated and declared to be the valid and binding obligations of the Town of Rockingham the following bonds of said Town, all of which were issued to secure funds for necessary expenses of said Town:

Bonds of Town of Rockingham validated.

\$ 5,000 5% Sewer Bonds, dated July 1, 1909

\$ 5,000 6% Water Bonds, dated July 1, 1911

\$15,000 6% Sewer Bonds, dated July 1, 1911

\$25,000 6% Street and Sidewalk Bonds, dated July 1, 1913

\$ 5,000 5% Water and Sewer Bonds, dated April 1, 1908

\$10,000 5¼% Street Improvement Bonds, dated July 1, 1924

\$19,000 5% Public Improvement Bonds, dated August 1, 1927

\$95,000 5% Water Bonds, dated August 1, 1927

\$56,000 5¼% Street Improvement Bonds, dated April 1, 1922

\$ 2,000 5¾% Funding Bonds, dated April 1, 1922

\$15,000 5½% Water Bonds, dated April 1, 1923

\$19,000 5½% Street Improvement Bonds, dated April 1, 1923

\$37,000 6% Gold Bonds, dated May 1, 1931

Town of Rockingham authorized to issue refunding bonds.

SEC. 2. The governing body of the Town of Rockingham is hereby authorized and empowered to issue in the name of the Town of Rockingham, at one time or from time to time, in accordance with the provisions of the Municipal Finance Act, as amended, and the Local Government Act, as amended, negotiable bonds of the Town for the purpose of refunding and funding all or any part of the principal of said bonds, and the interest which shall accrue thereon to the date of the bonds issued to fund the same.

Tax levy for repayment.

SEC. 3. All the taxable property in said Town shall be subject to the levy of a tax for the payment of the principal and interest of all bonds herein authorized as provided by the Municipal Finance Act, as amended.

Powers granted in addition to existing powers.

SEC. 4. The powers granted by this Act are granted in addition to and not in substitution for existing powers of said Town.

Conflicting laws repealed.

SEC. 5. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 6. This Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 28th day of January, A. D. 1937.

H. B. 97

CHAPTER 14

AN ACT TO ALLOW THE CITY OF GREENSBORO TO RELEASE ANY INTEREST IT MAY HAVE IN CERTAIN LANDS SITUATE IN GUILFORD COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

City of Greensboro authorized to release interest in certain lands in Guilford County.

SECTION 1. That the governing body of the City of Greensboro is hereby authorized to execute and deliver such release deeds, quitclaim deeds, or other papers as may be necessary to release the interest of the City of Greensboro and the public generally, in any portion, or all of the streets, parks, lanes, or other public ways, situate, lying and being in the Country Club Development, a sub-division in the City of Greensboro, North Carolina, as is shown by a map or plat thereof recorded in Plat Book Four, Page twenty-four in the office of the Register of Deeds of Guilford County, North Carolina.

SEC. 2. That this Act shall be in full force and effect from

and after its ratification.

In the General Assembly read three times and ratified, this the 28th day of January, A. D. 1937.

S. B. 12

CHAPTER 15

AN ACT CREATING A DEPARTMENT OF CIVIL SERVICE
FOR THE CITY OF ASHEVILLE, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. From and after the ratification of this Act the Civil Service Board of the City of Asheville shall be composed of three members, Plato D. Ebbs, Edwin Burge and Gilliland Stikeleather, who shall serve for a term of two years from said ratification. At the expiration of their two years service the City Manager of the City of Asheville shall name a member of the Civil Service Board, said member to serve at the pleasure of the City Manager. That the City Council of the City of Asheville shall, on the first meeting after the election of said Council by the people of the City of Asheville, elect a member of the Civil Service Board to serve at the pleasure of the City Council. The third member of said Board shall be chosen by ballot by vote of the officers and employees in the classified service of the City at a meeting for that purpose called by the City Manager and held within thirty days after a municipal election, and after ten days written notice to each officer and employee in the classified service of the City of the time, place and purpose of such meeting. The City Council shall by ordinance establish the procedure for the selection of the member of the Civil Service Board chosen by the officers and employees in the classified service, and provide for meeting the expense thereof. The member of the Civil Service Board chosen by the officers and employees in the classified service may be an officer or employee of the City. In the event of a vacancy on said Board, such vacancy shall be filled in the manner provided in this Act for the selection of a member a successor to whom is to be chosen.

Asheville Civil Service Board created.

Members named; terms fixed.

Selection of successors.

One by City Manager.

One by City Council.

One by persons in classified service.

Procedure for choosing third member.

Third member may be in classified service.

Vacancy appointments.

What classified service includes.

SEC. 2. The classified service of the City of Asheville shall include the head or chief of the Fire Department, the head or chief of the Police Department, all officers and employees of both departments, including clerical help for the Fire Department, clerical help for the Police Department, and all of the personnel of the Police Court, excepting the Judge of said court and the Assistant Judge of said court, the Solicitor of said court and the Assistant Solicitor of said court.

SEC. 3. The Civil Service Board shall make and may amend rules for promoting efficiency in the classified service of the city and for the appointment, promotion, transfer, lay-off, reinstatement, suspension and removal of city officers and employees in

Civil Service Board authorized to make and amend rules.

Not effective until approved by City Council after notice and public hearing.

Rules may provide for:

(1) Standardization and classification of positions and employments.

(2) Open competitive relative fitness tests.

(3) Public notice of all competitive tests.

(4) Creation of eligible lists of successful applicants in order of standing.

(5) Rejection of applicants, etc., not meeting reasonable requirements.

(6) Certification of names.

(7) Temporary employment without test; limitations.

(8) Temporary employment for transitory work without test; limitations.

(9) Non-competitive tests for certain positions.

(10) Provision for transfers.

(11) Reinstatement after separation from service, etc.

such service, but no such rule or amendment shall become effective unless approved by a majority vote of the Council after a public hearing thereon, notice of which hearing has theretofore been given to the officers and employees in the classified service and to the public in such manner as the Council shall direct.

SEC. 4. Such rules, last above mentioned, among other things, may provide:

(1) For the standardization and classification of all positions and employments in the classified service of the city. Such classification into groups and subdivisions shall be based upon and graded according to duties and responsibilities and so arranged as to promote the filling of the higher grade, so far as practicable, through promotions.

(2) For open competitive tests to ascertain the relative fitness of all applicants for appointments in the competitive class.

(3) For public notice of the time and place of all competitive tests, at least ten days in advance thereof, by publication in the paper of the city having the largest or second largest circulation and in all copies of the issue thereof having the largest circulation in the city, and by posting a notice in a conspicuous place in the city hall.

(4) For the creation of eligible lists upon which shall be entered the names of the successful applicants in the order of their standing in the competitive tests and without reference to the time of the test.

(5) For the rejection of applicants or eligibles who do not satisfy reasonable requirements as to age, sex, physical condition and moral character or who have attempted deception or fraud in connection with any test or their application therefor.

(6) For the certification to the appointing authority, from the appropriate eligible list, for filling a vacancy in the competitive class, of the three names standing highest in such list.

(7) For temporary employment without test, in the absence of an eligible list; but no such temporary employment shall continue after the establishment of a suitable eligible list nor for more than sixty days.

(8) For temporary employment for transitory work without test, but such employment shall require the consent of the director of civil service in each case, and shall not continue for more than sixty days nor be renewed.

(9) For non-competitive tests for appointments to positions designated by the manager and approved by the Civil Service Board and requiring peculiar and exceptional qualifications of a scientific, managerial, professional or educational character.

(10) For transfer from a position to a similar position in the same class and grade.

(11) For immediate reinstatement at the head of the eligible list of persons who, without fault or delinquency on their part, are separated from the service or reduced in rank.

(12) For suspension for purpose of discipline, with or without pay, for not longer than ninety days, and for leave of absence with or without pay.

(12) Provision for suspension and for leave of absence.

(13) For discharge or reduction in rank or compensation after the person to be discharged or reduced has, if he so request, been presented by the person responsible for his appointment with the reasons therefor specifically stated in writing and has been given an opportunity to be publicly heard in his own defense by the Civil Service Board. The written reasons for such discharge or reduction and any reply in writing there-to by any such officer or employee shall be filed with the department of civil service.

(13) Discharge or reduction in rank or compensation after opportunity for hearing.

Written reasons and reply filed.

SEC. 5. There shall be kept by the Civil Service Board a register in which shall be entered the names and addresses and the order and date of the application of all applicants for civil service examination and the office or employment which they seek.

Register required for applicants and office sought.

SEC. 6. The examinations required by the Civil Service Board shall be practicable; shall relate to matters which fairly measure the relative fitness of applicants to discharge the duties of the position which they seek, and shall take account of character, training, experience, and in connection with such positions as requires special qualifications of a scientific, managerial, professional or educational character, shall take such special qualifications into account. No question in any such examination shall relate to political or religious opinions, affiliations or service.

Practicable examinations to measure relative fitness.

Special qualifications to be considered.

No question on politics or religion.

SEC. 7. All names on the eligibility list which have remained on said list for a period of two years shall be stricken therefrom, unless the applicant shall file a new application. *Provided* that all applicants whose names now appear on the eligible list on the Minute Docket of said Civil Service Board shall be termed eligible for an appointment with the further mental or physical examination in the discretion of the said Board.

Names on eligibility list for two years, without new application, stricken off.

Applicants now on list eligible with further examination in discretion of the board.

SEC. 8. Whenever practicable, vacancies in the classified service shall be filled by promotion. Any advancement in rank shall constitute promotion, and the Civil Service rules shall indicate the lines of promotion from each lower to higher grade, wherever experience derived in the lower grade tends to qualify for the higher.

Vacancies filled by promotion when practicable.

SEC. 9. The Civil Service Board, or one of its members shall approve the payroll of the classified service coming under this Act, and the City Treasurer and other officers of the City shall not pay any of the employees of the classified service until and unless the Civil Service Board, or one of its members thereof, shall have approved such payroll. The salaries to be paid all employees of the classified service are to be fixed by the City Council according to standardization and classification of positions and employments in the classified service.

Classified service payroll approved by Civil Service Board or member thereof.

Salaries fixed by City Council.

SEC. 10. The decision of the City Manager, when notice has been given to the interested employee or applicants of a hearing on the matter, as to any lay-off, suspension, removal, employ-

Decision of City Manager, after notice of hearing, as to suspension, removal, etc., final.

ment, appointment, transfer, promotion, reduction, classification, grading, grouping, reinstatement, discipline or discharge, shall be final.

Persons now in classified service holding position after test period, retained without examination.

SEC. 11. Any person holding an office or position in the now classified service of the city shall hold said office or position with said city under provisional appointment, and a period of ninety days from the ratification of this Act shall be termed a test period, and any person holding an office or position in the classified service of the city after a test period of ninety days shall be retained without examination in the classified service of the city.

Suspension, removal, etc. of person not completing working test period, or serving provisionally, authorized.

SEC. 12. Any officer or employee in the classified service of the city who has not completed his working test period, as set out in Section eleven, or who is serving under provisional, temporary or emergency appointment, may be suspended, reduced in pay or class, or removed at any time by the City Manager or other officer having power to appoint a successor. A copy of said suspension, removal or reduction shall be filed in writing by the City Manager with the Civil Service Board.

Copy of suspension, etc., filed.

Suspension, removal, etc. of one completing test period.

SEC. 13. Any officer or employee in the classified service of the city who has completed the working test period may be laid-off, suspended or removed from office or employment by the City Manager. Verbal or written notice of lay-off, suspension or removal given to an officer or employee, or written notice left at or mailed to his usual place of residence, shall be sufficient to put any such lay-off, suspension, or removal into effect unless the person so notified shall, within five days after such notice, demand a written statement of the reasons therefor and the right to be heard before the Civil Service Board. Upon such demand the officer making the lay-off, suspension or removal shall supply the person notified thereof and the Civil Service Board with a written statement of the reasons therefor and the Board shall fix a time and place for the public hearing. Following the public hearing, and such investigations as the Civil Service Board may see fit to make, the Board shall report its findings and recommendation to the City Manager and the authority responsible for the lay-off, suspension or removal as specified in the notice. Thereupon the City Manager shall make such disposition of the matter as, in his opinion, the good of the City may require. The decision of the manager in any such case shall be final. A copy of the written statement of reasons given for any lay-off, suspension or removal and a copy of any written reply thereto by the officer or employee involved, together with a copy of the decision of the manager, shall be filed as a public record in the office of the department of civil service. No statement made in good faith by the authority making any such lay-off, suspension or removal, shall constitute defamation of character and/or libel or serve as a basis for any action or proceeding, civil or criminal in its nature alleging defamation of character and/or libel.

Notice.

Written reasons and hearing.

Written statement of reasons.
Time and place of hearing.

Findings and recommendation reported to City Manager, et al.

Disposition of matter by City Manager.

Reasons for suspension, etc., reply, and decision filed as public record.

Statements in good faith not basis for libel actions.

SEC. 14. That if, for any reason, a vacancy occurs on the Board of the Civil Service members named in said bill, then the governing body shall have the power to fill such vacancy.

Vacancy appointments.

SEC. 15. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 16. That if any clause, sentence, paragraph or any part or provision of this Act shall, for any reason, be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of said Act, but shall be confined in its operation to the clause, section or provision or part thereof directly involved in such judgment.

Partial invalidity provision.

SEC. 17. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 29th day of January, A.D. 1937.

H. B. 59

CHAPTER 16

AN ACT TO EXTEND THE TIME FOR INSTITUTING FORECLOSURE PROCEEDINGS ON CERTIFICATES OF SALE FOR LAND SOLD FOR TAXES FOR THE YEARS ONE THOUSAND NINE HUNDRED AND THIRTY-ONE, ONE THOUSAND NINE HUNDRED AND THIRTY-TWO AND ONE THOUSAND NINE HUNDRED AND THIRTY-THREE BY THE TOWN OF BESSEMER CITY.

The General Assembly of North Carolina do enact:

SECTION 1. That the time for instituting actions for the foreclosure of certificates of sale for land sold for taxes for the years one thousand nine hundred and thirty-one, one thousand nine hundred thirty-two and one thousand nine hundred and thirty-three by the Town of Bessemer City, be and the same is hereby extended to April first, one thousand nine hundred and thirty-seven.

Time for instituting foreclosure actions for 1931, 1932, 1933 taxes, Bessemer City, extended to April 1, 1937.

SEC. 2. That this Act shall apply only to the Town of Bessemer City.

Applies only to Bessemer City.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 4. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 29th day of January A. D. 1937.

H. B. 81

CHAPTER 17

AN ACT TO FIX THE SALARY OF THE OFFICE OF
DEPUTY CONSTABLE OF ASHEVILLE TOWNSHIP,
BUNCOMBE COUNTY, NORTH CAROLINA.*The General Assembly of North Carolina do enact:*

Salary of deputy
constable, Asheville
Township, Bun-
combe County.

SECTION 1. That the office of deputy constable of Asheville Township, Buncombe County, North Carolina, shall receive a salary of the sum of one hundred and twenty-five (\$125.00) dollars a month in full for services of said office.

Conflicting laws
repealed.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 29th day of January, A. D. 1937.

H. B. 82

CHAPTER 18

AN ACT VALIDATING PAYMENTS OF MONEY HERETO-
FORE MADE BY NORTH CAROLINA REAL ESTATE
COMMISSION AND TO PAY ITS CURRENT BILLS, ETC.

Preamble: Ch. 241,
Public-Local Laws,
1927, unconstitu-
tional.

Whereas, Chapter two hundred and forty-one of the Public-Local Laws of one thousand nine hundred twenty-seven, to-wit: "An Act to define, regulate and license real estate brokers, real estate salesmen, and to create a State Real Estate Commission and to provide a penalty for the violation of the provisions thereof," has been declared unconstitutional by the Supreme Court of North Carolina; and

Fees collected, ex-
penditures made,
debts created by
N. C. Real Estate
Commission.

Whereas, said North Carolina Real Estate Commission and its officers have heretofore collected a number of license fees and have made varied expenditures in accordance with the provisions of said Act, and there are now a number of current bills outstanding and much clerical work is necessary for the completion of this unfinished business; and

Doubt as to validity
of collections, ex-
penditures, etc.

Whereas, doubt has arisen as to the validity of the collection of the license fees aforesaid and of the expenditures heretofore made, and of the power of said North Carolina Real Estate Commission to pay its outstanding bills, or to have performed the necessary clerical work to complete its unfinished business;
Now, Therefore,

The General Assembly of North Carolina do enact:

Collections and
expenditures by N.
C. Real Estate
Commission vali-
dated.

SECTION 1. That the acts of the North Carolina Real Estate Commission, its officers and agents in the collection of license fees and in the expenditure of funds heretofore made are in all respects confirmed and validated.

SEC. 2. That the North Carolina Real Estate Commission, its duly appointed commisisoners, officers, and attorneys are hereby authorized and directed to pay any outstanding bills incurred in the conduct of the affairs of the said Commission and to do any work necessary to complete its unfinished business and pay for same: *Provided*, that said unfinished business was authorized by Chapter two hundred and forty-one, Public-Local Laws of one thousand nine hundred and twenty-seven, and Acts amendatory thereto: *Provided, further*, that nothing in this Act shall be construed to allow said Commission to accept application for licenses, or accept any fees in payment thereof, or to issue any licenses as was provided by said Chapter two hundred and forty-one, Public-Local Laws of one thousand nine hundred and twenty-seven, and Acts amendatory thereof: *Provided, further*, that all powers and authority hereby conferred shall expire within ninety (90) days from the ratification of this Act.

Commission authorized to pay debts, complete unfinished business, if authorized by Ch. 241, Public-Local Laws, 1927.

Commission may not issue licenses or collect fees.

Expiration of authority conferred.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 29th day of January, A. D. 1937.

H. B. 88 CHAPTER 19

AN ACT TO AUTHORIZE THE GOVERNING BODY OF THE TOWN OF BLACK MOUNTAIN TO ADJUST OR CANCEL PAVING AND OTHER ASSESSMENTS AGAINST PROPERTY IN SAID TOWN.

The General Assembly of North Carolina do enact:

SECTION 1. The governing body of the Town of Black Mountain is authorized, directed and empowered to cancel of record all paving, sewer, sidewalk, water and opening and widening assessments that have been levied and are now uncollected upon the payment of the principal of the assessment, remitting all penalties, interest and costs: *Provided*, however, that said principal shall be paid within sixty days from the date of the ratification of this bill; then if not paid within said sixty days, the said principal to bear interest at the rate of six per cent until paid.

Governing body of Black Mountain directed to cancel certain assessments upon payment of principal within time fixed, remitting penalties, interest and costs.

SEC. 2. That in any case where a property owner has been awarded damages, which stands upon the record as unpaid in whole or in part, the provisions of this Act shall not apply unless the owner of such claim for damages shall release and discharge such governing body from the obligation of paying the same.

Act not applicable to property owner awarded damages unless governing body released.

SEC. 3. Neither the governing body of the Town of Black Mountain shall have no power or authority to make any refund to any owner of property or taxpayer by virtue of any payment heretofore made upon any assessments.

No authority to refund because of prior payment.

Conflicting laws
repealed.

SEC. 4. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 5. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 29th day of January, A. D. 1937.

S. B. 28

CHAPTER 20

AN ACT RELATIVE TO THE TERMS OF SUPERIOR COURT IN BLADEN COUNTY

The General Assembly of North Carolina do enact:

Ch. 101, Public-
Local Laws, 1935,
repealed.

SECTION 1. That Chapter one hundred and one of the Public-Local Laws of the one thousand nine hundred thirty-five Session of the General Assembly is hereby repealed in its entirety, and the following is substituted therefor:

Terms of
Superior Court
Bladen County.

“SECTION 1. That the terms of the Superior Court of Bladen County shall be as follows: Eighth Monday before the first Monday in March for the trial of civil cases, and the trial of criminal cases where bills have been found, and cases on appeal from the Recorder's Court and Courts of Justices of the Peace; the first Monday after the first Monday in March for the trial of criminal cases only; the eighth Monday after the first Monday in March for the trial of civil cases only; the fourth Monday before the first Monday in September for the trial of civil cases only; the second Monday after the first Monday in September for the trial of criminal cases only. Said courts to continue for one week unless the business is sooner disposed of, and grand juries to be summoned only for the March and September terms of court. *Provided*, that if the necessity should arise, and the County Commissioners of Bladen County should so determine and order, a grand jury may be summoned by said commissioners for the January term of court; and such grand juries so summoned shall have, perform and exercise all of the powers and duties of regular grand juries herein provided for the March and September terms of court. At any term for the trial of criminal cases, civil cases may be tried by consent.

Grand Jury for
January term, if
necessary.

Trial of civil cases
at criminal terms
by consent.

Conflicting laws
repealed.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.”

In the General Assembly read three times and ratified, this the 1st day of February, A.D. 1937.

S. B. 36

CHAPTER 21

AN ACT TO AMEND THE CHARTER OF THE TOWN OF
WELDON, IN HALIFAX COUNTY

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter Thirty Nine of the Private Laws of the Session of one thousand nine hundred and thirty-five be amended as follows:

Ch. 39, Private Laws, 1935, amended.

SEC. 2. Strike out in line two in Section One after the words "only four Commissioners" the words "and a Town Clerk."

Office of Town Clerk abolished.

SEC. 3. That after the words "four Commissioners" in Section Two, Chapter Thirty Nine as aforesaid, the following words be stricken out "and Town Clerk."

SEC. 4. That Section Three of said Act be and the same is hereby repealed.

Sec. 3 of Chapter repealed.

SEC. 5. That Section Four of said Act be and the same is hereby repealed.

Sec. 4, repealed.

SEC. 6. Strike out in Section Six after the words "four Commissioners" the words "and Town Clerk" and insert the word "and" between the words "Mayor—four Commissioners."

Office of Town Clerk abolished.

SEC. 7. That all laws and clauses of laws in conflict with this Act, to the extent of such conflict, be and the same are hereby repealed.

Conflicting laws repealed.

SEC. 8. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of February, A.D. 1937.

S. B. 37

CHAPTER 22

AN ACT RELATING TO THE JURISDICTION OF RE-
CORDERS' COURTS IN ROBESON COUNTY

The General Assembly of North Carolina do enact:

SECTION 1. That Section six (6) of Chapter six hundred thirty-four, Public-Local Laws of one thousand nine hundred fifteen be amended, so as to read hereafter as follows:

Sec. 6, Ch. 634, Public-Local Laws, 1915, amended, as to jurisdiction of Recorder's Courts, Robeson County.

The jurisdiction of said courts shall be as follows, to-wit:

(a) Said courts shall have final exclusive original jurisdiction of the violations of all town ordinances, committed within the limits of the city or town where the several courts are located or held.

Jurisdiction of town ordinance violations.

(b) Said courts shall have final concurrent original jurisdiction of all criminal offenses committed in Robeson County which are now or may hereafter be within the jurisdiction of the justices of the peace.

Jurisdiction of criminal offenses within jurisdiction of justices of peace.

(c) Said courts in addition to the jurisdiction conferred in Sub-Sections a and b of this Section, shall have final concurrent original jurisdiction with the Superior Court in all other crim-

Concurrent jurisdiction with Superior Court.

inal offenses committed in Robeson County below the grade of a felony as now defined by law and the same are hereby declared to be petty misdemeanors.

Power to hear and bind over.

(d) In any other criminal matter wherein said court has not final jurisdiction it shall have power, and it is hereby fully authorized, to hear and bind over to the proper court all persons charged with any crime committed within the county of Robeson, and to render such judgment in such matters as now provided by law for justices of the peace; and any and all such cases heard by the said recorders' courts as committing magistrates against any person or persons for any offense whereof said court herein established has not final jurisdiction, in which probable cause of guilt is found, such person or persons so charged shall be bound in bond or recognizance, with sufficient surety, if the crime be bailable under the law, to appear at the next term of the Superior Court of Robeson County for the trial of criminal offenses, and in default of such bond or recognizance such person or persons shall be committed to the common jail of Robeson County, to await trial as aforesaid; if the crime is not bailable, then to commit the defendant so charged to the common jail of Robeson County to await the action of the Superior Court thereof.

Where probable cause found, bond required, if crime bailable.

Commitment to jail upon default.

If crime not bailable, commitment to jail required.

Warrants issued by recorders or justices of peace.

(e) Warrants may be issued by the recorders of said courts or by any justice of the peace of Robeson County, made returnable to said courts, for any person or persons charged with the commission of any offense of which the said courts have jurisdiction; and any person convicted in said courts shall have the right to appeal as is now provided for appeals from the courts of justices of the peace, to the Superior Court of Robeson County, and upon appeal the trial shall be de novo in the Superior Court.

Appeals to Superior Court.

Trial de novo.

Prosecuting attorneys authorized to issue warrants, etc.

(f) That the prosecuting attorneys of the recorders' courts of Robeson County, as provided for by Public-Local Laws of one thousand nine hundred and fifteen, Chapter six hundred thirty-four, shall have full power and authority to issue warrants, summonses, subpoenas, commitments and administer oaths, and all other papers incident to the dispatch of business in said courts, and all warrants, summonses, subpoenas, commitments and oaths administered and other process issued prior to the passage of this Act by said prosecuting attorneys, whether in the name of the prosecuting attorney or in the name of the recorder, shall be and the same is hereby declared valid, and all such oaths administered and process issued, when directed outside of the County of Robeson, shall be attested by the seal of said recorders' court, which said seal the prosecuting attorneys are hereby given power and authority to use in as full and ample manner as is now conferred on the recorders of said county.

Prior warrants, etc., issued by prosecuting attorneys validated.

Oaths and process, directed outside Robeson County, attested by Record-ers' Court seal.

Prosecuting attorneys authorized to use seal.

Actions for penalties.

(g) Said courts shall have jurisdiction to try all actions for the recovery of any penalty imposed by law, or any ordinance of a city or town wherein the court is held, for any act done

within Robeson County contrary to the law or said ordinance and said penalty shall be recovered in the name of the State, if not inside of the corporate limits of the city or town wherein the court is held, and, if inside of said limits, in the name of any such city or town.

(h) Said court shall have final, concurrent, and original jurisdiction in all civil matters arising in said county of Robeson which are now or may hereafter be given to justices of the peace.

Concurrent original jurisdiction with justices of the peace in civil matters.

SEC. 2. That all laws in conflict with this Act to the extent of such conflicts are hereby repealed.

Conflicting laws repealed.

SEC. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of February, A.D. 1937.

S. B. 54

CHAPTER 23

AN ACT TO EXTEND THE TIME FOR THE INSTITUTION OF ACTIONS TO FORECLOSE UPON TAX SALES CERTIFICATES OF LAND SOLD FOR DRAINAGE TAXES EMBRACED WITHIN THE BOUNDARIES OF PASQUOTANK DRAINAGE DISTRICT NUMBER ONE, PASQUOTANK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the time within which action may be instituted for the foreclosure of tax sales certificates of sale made of lands embraced within the boundaries of Pasquotank Drainage District Number one, Pasquotank County, for the drainage taxes assessed in said District for the year of one thousand nine hundred thirty-three be and the same is hereby extended to October first, one thousand nine hundred thirty-seven.

Extension of time for foreclosure actions for 1933 drainage taxes in Pasquotank Drainage District No. 1.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified this the 1st day of February, A.D. 1937.

H. B. 75

CHAPTER 24

AN ACT RELATING TO CERTAIN FEES TO BE ALLOWED THE JAILER OF MACON COUNTY

The General Assembly of North Carolina do enact:

SECTION 1. That from and after the ratification of this Act the jailer of Macon County shall no longer be allowed the fees known as turnkey fees heretofore paid the said jailer.

Jailer, Macon County, deprived of turnkey fees.

Allowance for meals served prisoners.

SEC. 2. That the jailer of Macon County shall hereafter be allowed a sum, not to exceed fifteen cents, for each meal served to prisoners confined in the jail in Macon County, said sum not to exceed forty-five cents in any one day.

Violation a misdemeanor.

SEC. 3 That any jailer violating the provisions of this Act as to the number of meals served or the charges made for same shall be guilty of a misdemeanor and upon conviction shall be fined not less than one hundred dollars or imprisoned not less than thirty days.

Conflicting laws repealed.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of February, A.D. 1937.

H. B. 110

CHAPTER 25

AN ACT TO AMEND CHAPTER EIGHTY-ONE, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-FIVE, RELATIVE TO COMPENSATION FOR SERVICES OF THE DEPUTY CLERK OF SUPERIOR COURT OF WARREN COUNTY.

The General Assembly of North Carolina do enact:

Sec. 1, Ch. 81, Public-Local Laws, 1925, amended, as to compensation of Deputy C. S. C., Warren County.

SECTION 1. That Section one, Chapter eighty-one, Public-Local Laws of one thousand nine hundred twenty-five, be, and the same is hereby amended by striking out, in line seven, the word "fifty" and inserting in lieu thereof the word "seventy-five."

Conflicting laws repealed.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 3. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of February, A.D. 1937.

H. B. 141

CHAPTER 26

AN ACT TO VALIDATE ALL SALES FOR TAXES MADE BY THE SHERIFF OF CHATHAM COUNTY FOR THE YEARS ONE THOUSAND NINE HUNDRED THIRTY-THREE, ONE THOUSAND NINE HUNDRED THIRTY-FOUR AND ONE THOUSAND NINE HUNDRED THIRTY-FIVE.

The General Assembly of North Carolina do enact:

Tax sales for 1933, 1934, 1935 taxes by Sheriff, Chatham County, validated.

SECTION 1. That all sales of property made by the Sheriff of Chatham County, pursuant to order of the Board of Commissioners of said County, for the purpose of collecting taxes for

the years one thousand nine hundred and thirty-three, one thousand nine hundred and thirty-four and one thousand nine hundred and thirty-five, be and the same are hereby validated, whether the said sales were made upon the days prescribed by statute or any other day, and all Acts of the Board of Commissioners of the County of Chatham, postponing the sales of property for the purpose of collecting taxes for the above enumerated years, are hereby validated.

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of February, A.D. 1937.

Acts of Commissioners postponing tax sales validated.

H. B. 125

CHAPTER 27

AN ACT TO PERMIT THE BOARD OF COUNTY COMMISSIONERS OF GUILFORD COUNTY AND THE COUNTY BOARD OF EDUCATION TO MAKE CERTAIN CHANGES IN THE USE OF THE PROCEEDS OF BONDS ISSUED FOR SCHOOL PURPOSES.

Whereas, during the year one thousand nine hundred and thirty-six, the Board of County Commissioners of Guilford County, in accordance with the formalities required by the laws of the State of North Carolina relating thereto, issued bonds in the sum of four hundred and ninety-five thousand (\$495,000.00) dollars for the purpose of affording additional school facilities for the County of Guilford, as shown by the following schedule:

Guilford County Administrative Unit.....	\$100,000.00
Greensboro City Administrative Unit.....	225,000.00
High Point City Administrative Unit.....	170,000.00,

and

Whereas, the sums provided in said schedule for the Guilford County Administrative Unit have already been expended, in accordance with the statutes of the State of North Carolina; and

Preamble: Issue of School Bonds by Guilford County Commissioners.

Guilford County Administrative Unit funds expended.

Whereas, the County Board of Education purchased the land provided for in said schedule for Greensboro City Administrative Unit above named, and prepared plans and specifications for the additional rooms and buildings set out in said schedule for Greensboro, and bids have been accepted for the erection of said rooms and buildings, all in accordance with the statutes of the State of North Carolina; and

Preparations for construction of additional school rooms.

Whereas, there remains from the fund allocated to the Greensboro City Administrative Unit, after deducting therefrom the sums expended and to be expended according to the bids aforesaid, approximately eleven thousand (\$11,000.00) dollars; and

City Administrative Unit funds remaining.

Certain land necessary for playground for schools now leased.

Purchase price of playground land.

Change desired in provisions for spending High Point City Administrative Unit funds.

Whereas, there lies between the Spring Street Elementary School of the City of Greensboro, and the Junior High School of said City, a tract of land which would afford a playground for the two schools and room for further growth, and said Land is necessary and indispensable for the use of said schools, and is now under lease by the Trustees of Greensboro City Administrative Unit for playground purposes; and

Whereas, said land can be purchased from its owners for ten thousand (\$10,000.00) dollars, and said purchase would be for the best advantage of the schools of the Greensboro City Administrative Unit; and

Whereas, the Trustees of High Point City Administrative Unit desire that the money allocated to High Point City Administrative Unit from the bond issue aforesaid be changed so that instead of expending said money as originally provided it shall be spent as follows:

8 Elementary Schools:

Oak Hill—2 rooms and cafeteria	\$ 13,849.00
Cloverdale—4 rooms	20,543.00
Brentwood—4 rooms	17,500.00
Emma Blair—auditorium extension and basement	14,753.00
Elm Street—repair program	12,850.00
Johnson Street—cafeteria and 4 class rooms	12,500.00
Fairview—4 rooms	18,000.00
Leonard Street—2 rooms	10,000.00
Total	\$120,000.00

Land:

Fairview	
Leonard Street	
William Penn	\$ 10,000.00
Architects	7,000.00
Furnishings and Equipment.....	6,000.00
High School Plant: 4 to 6 rooms.....	27,000.00
	\$ 50,000.00
Grand total	\$170,000.00

Now, Therefore, The General Assembly of North Carolina do enact:

Expenditure of funds by Guilford Board of Education and County Commissioners validated.

Boards authorized to buy land from bond issue proceeds.

SECTION 1. That the acts of the County Board of Education of Guilford County and the Board of County Commissioners of Guilford County in the expenditure of the funds derived from the sale of bonds in the above named bond issue are hereby in all respects approved, confirmed and validated.

SEC. 2. That the County Board of Education of Guilford County and the Board of County Commissioners of Guilford County are hereby authorized and empowered to purchase the

tract of land between Spring Street Elementary School, Greensboro, North Carolina, and Junior High School, Greensboro, North Carolina, from its owners at and for the sum of ten thousand (\$10,000.00) dollars, and to use a portion of the proceeds of the bond issue allocated to Greensboro City Administrative Unit in the payment of the purchase price of said land.

SEC. 3. That the Board of Education of Guilford County and the Board of County Commissioners of Guilford County are hereby authorized and empowered to use the proceeds derived from the sale of bonds aforesaid, which are allocated to High Point City Administrative Unit, in accordance with the present plan submitted by the Trustees of High Point City Administrative Unit and set out above, or such other plans as may be hereafter submitted by said Trustees and approved by the County Board of Education and the Board of County Commissioners of Guilford County.

Provision for use of funds allocated to High Point City Administrative Unit.

SEC. 4. That all laws and parts of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 5. That this Act shall be in effect from and after its ratification.

In the General Assembly read three times and ratified, this the 3rd day of February, A.D. 1937.

H. B. 167

CHAPTER 28

AN ACT TO AMEND HOUSE BILL THIRTY-THREE, ENTITLED "AN ACT TO POSTPONE THE FORECLOSURE OF TAX SALES CERTIFICATES IN MACON COUNTY," RATIFIED JANUARY TWENTY-SECOND, ONE THOUSAND NINE HUNDRED AND THIRTY-SEVEN.

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill thirty-three, entitled "An Act to postpone the foreclosure of tax sales certificates in Macon County," ratified January twenty-second, one thousand nine hundred and thirty-seven, be, and the same is hereby amended by adding after the word "certificates" in line four of section one the words "and liens," and by adding after the word "certificates" in line nine of section one the words "and liens."

Ch. 10, Public-Local Laws, 1937, (H. B. No. 33) amended to include liens.

SEC. 2. That this Act shall be in force and effect from and after ratification.

In the General Assembly read three times and ratified, this the 3rd day of February, A.D. 1937.

S. B. 19

CHAPTER 29

AN ACT TO AMEND CHAPTER TWENTY-EIGHT OF THE PUBLIC-LOCAL LAWS, SESSION ONE THOUSAND NINE HUNDRED AND THIRTY-ONE, ENTITLED "AN ACT TO PLACE THE OFFICERS OF GRAHAM COUNTY ON SALARY AND FOR OTHER PURPOSES."

Preamble: Outgoing sheriff and tax collector, Graham County, formerly authorized to continue to collect certain taxes.

Outgoing sheriff and tax collector later required to deliver tax books to successor for collection.

Collection of taxes formerly on commission basis.

In 1931, tax collector, Graham County, placed on salary.

Confusion over tax books after 1936 election.

Need for clarification of law to eliminate confusion.

Whereas, prior to the ratification of chapter two hundred thirteen of the Public Laws of the session of one thousand nine hundred twenty-seven, the outgoing sheriff and tax collector of Graham County was authorized and empowered to collect and settle for the taxes on the books then in his hands; and

Whereas, by section seven of chapter two hundred thirteen of the Public Laws of one thousand nine hundred twenty-seven, the outgoing sheriff and tax collector was required to deliver to his successor in office the tax books then in his hands for collection where the tax collector was collecting taxes on salary; and

Whereas, prior to one thousand nine hundred thirty-one the sheriff and tax collector of Graham County was elected and collected the taxes on a commission basis and the outgoing sheriff retained from the incoming sheriff the book for the current taxes; and

Whereas, by chapter twenty-eight of the Public-Local Laws of one thousand nine hundred thirty-one the tax collector of Graham County was placed on a salary basis; and

Whereas, at the November election, one thousand and nine hundred thirty-six, another sheriff and tax collector was elected and some confusion has arisen as to whether or not the newly elected sheriff is entitled to the tax books now in the hands of the outgoing sheriff and tax collector; and

Whereas, if the newly elected sheriff should be given the current tax books now in the hands of the outgoing sheriff, the outgoing sheriff will be deprived of the current taxes. Now, in order to clarify the law and to assure to the outgoing sheriff the proper number of tax books for collection and to the incoming sheriff his proper number of tax books for collection: *Now, Therefore,*

The General Assembly of North Carolina do enact:

Ch. 28, Public-Local Laws, 1931, amended, to exempt Graham County from provisions of Sec. 7, Ch. 213, Public Laws, 1927.

Duty of outgoing sheriff to continue to collect taxes then on books in his hands.

SECTION 1. That chapter twenty-eight of the Public-Local Laws of one thousand nine hundred thirty-one be and the same is hereby amended by adding the following to the end of section one thereof: "*Provided* that section seven of chapter two hundred thirteen of the Public Laws of one thousand nine hundred twenty-seven shall not apply to Graham County."

SEC. 2. That when the sheriff does not succeed himself it shall be his duty to continue the collection of the taxes on the book then in his hands and settle therefor according to law.

SEC. 3. That it shall be the duty of P. R. Griffith to continue the collection of the taxes shown on the tax list of the several townships of Graham County for the year one thousand nine hundred and thirty-six now in his hands, for which he has made bond, and settle therefor according to sections four, five and six of chapter two hundred and thirteen, Public Laws of North Carolina, session one thousand nine hundred and twenty-seven, for which he shall receive the salary of two thousand (\$2,000.00) dollars for the term from the first Monday in October, one thousand nine hundred and thirty-six, to the first Monday in October, one thousand nine hundred and thirty-seven, to be paid by warrant issued by the Board of County Commissioners of Graham County upon the Treasury of said County.

P. R. Griffith
directed to continue
to collect certain
taxes.

Salary.

SEC. 4. That the present sheriff of the County of Graham shall receive in addition to the fees, commissions and emoluments allowed to sheriffs by law the sum of four hundred (\$400.00) dollars for that part of his term from the first Monday in December, one thousand nine hundred and thirty-six, to the first Monday in October, one thousand nine hundred and thirty-seven, which shall be paid by warrant issued by the Board of County Commissioners of Graham County upon the Treasury of said county.

Additional salary
allowed present
sheriff, Graham
County.

SEC. 5. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws
repealed.

SEC. 6. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 3rd day of February, A.D. 1937.

S. B. 44

CHAPTER 30

AN ACT TO AMEND SECTION ONE HUNDRED AND FIFTY-EIGHT OF CHAPTER THREE HUNDRED AND FORTY-TWO OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND SEVEN, ENTITLED "AN ACT TO AMEND, REVISE AND CONSOLIDATE THE STATUTES THAT CONSTITUTE THE CHARTER OF THE CITY OF CHARLOTTE."

The General Assembly of North Carolina do enact:

SECTION 1. That section one hundred and fifty-eight of chapter three hundred and forty-two of the Private Laws of one thousand nine hundred and seven be amended by striking out all of section one hundred and fifty-eight, and inserting in lieu thereof the following:

Ch. 342,
Private Laws, 1907,
amended.

"That the title to any real estate, rights, privileges or easements, which has been condemned under the provisions of this Act, shall vest in the said City upon its paying into court or to the parties entitled to receive the same, the amount of compensation or damages recovered against it, together with the costs

Title to property
condemned vested in
City of Charlotte
upon payment of
compensation, etc.

Deductions of sums due by owners for improvements assessed.

Payment to the city where benefits to owner exceed damages.

Installment payments.

Conflicting laws repealed.

adjudged to be paid by it in the said proceeding less any amounts due to be paid to the City by any such abutting owner or owners for benefits and improvements assessed against said owner or owners. Should the cost of improvements together with the benefits assessed against the property of any owner or owners exceed the amount of damages awarded, then said owner may within thirty (30) days from final judgment pay the same in full and have the lien against his property satisfied or the owner may pay the same in ten (10) equal annual installments with interest at six (6%) per cent per annum."

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 4th day of February, A.D. 1937.

S. B. 52

CHAPTER 31

AN ACT TO REPEAL CHAPTER THREE HUNDRED SEVENTY-EIGHT OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-ONE RELATING TO DEPUTY SHERIFFS OF UNION COUNTY AND GIVING TO THE BOARD OF COUNTY COMMISSIONERS OF UNION COUNTY DISCRETION IN ALLOWING THE SHERIFF ADDITIONAL DEPUTIES.

The General Assembly of North Carolina do enact:

Ch. 378, Public-Local Laws, 1931, repealed.

Appointment of additional deputy sheriff, Union County, authorized.

Compensation.

Conflicting laws repealed.

SECTION 1. That chapter three hundred seventy-eight of the Public-Local Laws of one thousand nine hundred thirty-one be and the same is hereby repealed.

SEC. 2. That in addition to the deputy provided for by section two of chapter eighty of the Public-Local Laws of one thousand nine hundred thirty-one, the County Commissioners of Union County may in their discretion allow the sheriff an additional deputy, to be appointed by him, and pay said additional deputy such compensation as said Board may in its discretion fix, such compensation to be paid out of the general funds of the county.

SEC. 3. That all laws and clauses of laws in conflict herewith are hereby repealed.

SEC. 4. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 4th day of February, A.D. 1937.

S. B. 11

CHAPTER 32

AN ACT AMENDING THE CHARTER OF THE CITY OF
ASHEVILLE*The General Assembly of North Carolina do enact:*

SECTION 1. That chapter two hundred nineteen of the Private Laws of the session of one thousand nine hundred and thirty-three be, and the same is hereby repealed.

Ch. 219, Private
Laws, 1933,
repealed.

SEC. 2. That chapter one hundred forty-three of the Private Laws of the session of one thousand nine hundred and thirty-one be, and the same is hereby re-enacted in full.

Ch. 143, Private
Laws, 1931,
re-enacted.

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby specifically repealed.

Conflicting laws
repealed.

SEC. 4. That this Act shall be in full force and effect from and after the date of its ratification.

In the General Assembly read three times and ratified, this the 5th day of February, A.D. 1937.

S. B. 61

CHAPTER 33

AN ACT TO EXTEND THE TIME OF FORECLOSURE OF
TAX SALES CERTIFICATES HELD BY THE TOWN OF
MAYSVILLE, IN JONES COUNTY

Whereas, the town of Maysville holds certain tax sales certificates against property sold by said town for the years one thousand nine hundred and thirty-two and one thousand nine hundred and thirty-three which time for foreclosure expires February ninth, one thousand nine hundred and thirty-seven, and

Preamble: Certain
tax sales certificates
held by Town of
Maysville.

Whereas, it is necessary to extend the time for foreclosure of said certificates held by said town of Maysville for the purpose of paying off and discharging certain outstanding bonds and bond coupons of said town now in default: *Now, Therefore*,

Extension of time
for foreclosure
necessary.

The General Assembly of North Carolina do enact:

SECTION 1. That the time for foreclosure of tax sales certificates held by the town of Maysville for years one thousand nine hundred and thirty-two and one thousand nine hundred and thirty-three be and the same is hereby extended to December first, one thousand nine hundred and thirty-seven.

Extension of time
for foreclosure of
tax certificates.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws
repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 5th day of February, A.D. 1937.

H. B. 62

CHAPTER 34

AN ACT TO CREATE A JURY COMMISSION FOR THE
COUNTY OF MACON

The General Assembly of North Carolina do enact:

Jury Commission,
Macon County,
created and
members named.

Term of office.

Compensation.

Duties.

Oath of office.

Duty to revise
jury box.

Manner of selecting
new jurors

Jury box divided
into two com-
partments.

Separate locks.

Custody of keys.

All names originally
placed in com-
partment No. 1.

SECTION 1. That Alex Moore, of Franklin, Charles Rogers, of Prentice, and Sam Gibson of Wests Mill, be and they are hereby named as a jury commission for the County of Macon to serve for a term of two years or until their successors are appointed and qualified. They shall each receive the sum of five dollars for each day's service required in selecting juries for said county.

SEC. 2. That it shall be the duty of the aforesaid commission to have full, complete and absolute control of the jury system of Macon County, and to that end shall be custodians of the jury box of said county and they shall be charged with placing all names within said box for jury service and shall likewise be charged with the supervision of drawing all names from said jury box for jury duty, as hereinafter provided.

SEC. 3. That on the first Monday in April, one thousand nine hundred and thirty-seven, or as soon thereafter as practicable, the aforesaid named commission shall present themselves to the Clerk of the Superior Court of Macon County, or some other person qualified to administer oaths, where they shall take the oath of office to the effect that they will honestly and conscientiously perform their said duties towards carrying out the provisions of this Act without fear or favor to the very best of their ability.

SEC. 4. That immediately after taking their said offices, it shall be their duty to revise the jury box for Macon County by striking out all names which they may find within said box, and by placing in lieu thereof the names of not less than six hundred nor more than eight hundred names of citizens and taxpayers of Macon County. In selecting the aforesaid names, each and every name so selected shall be that of a good, law-abiding, intelligent citizen who does not then stand indicted in the courts on any charge. That in placing said names in said jury box, each name shall be typewritten and shall be cut separate and apart from all the other names.

SEC. 5. That said jury box shall be divided into two compartments, one of which shall be marked number one, and the other of which shall be marked number two, and each of said compartments shall be locked with a separate lock, the key to compartment number one to be carried by the chairman of said commission, and the key to compartment number two to be carried by another member of said commission to be designated as secretary. That it shall be the duty of said commission in first preparing the names of said jury list to place all of said names in compartment number one where they shall remain until same shall be drawn out as hereinafter provided.

SEC. 6. That it shall be the duty of said jury commission to meet in the courthouse in Franklin at such times as is by law provided for a jury to be drawn for each and every court to be held in Macon County and draw the jury as is provided by law. Twelve extra names shall also be drawn to serve as emergency jurors.

Duty to draw jury for every court.

SEC. 7. That after said jury shall have thus been drawn, it shall be the duty of said secretary to make and certify a copy of the same to the sheriff of said county for the purpose of serving same; to furnish a certified copy thereof to the Clerk of the Superior Court and to retain a copy thereof as a part of the permanent records of the said jury commission.

Twelve emergency jurors.

Copies of jury list certified to Sheriff and to Clerk of Court.

SEC. 8. That at such times as said jury commission is not on duty and in actual charge of said jury box, the secretary shall be the custodian of same, and it shall be his duty to keep same under lock and key at all times so that no other person may have anything to do with same.

Secretary of Commission custodian of jury box.

SEC. 9. That on the first Monday in April, one thousand nine hundred and thirty-seven, and biennially thereafter, said jury commission shall revise said jury list, the same rules governing the revising as are applicable to the first list going into said box.

Biennial revision of jury list.

SEC. 10. That at the first meeting of said commission to be held on the first Monday in April, one thousand nine hundred and thirty-seven, or as soon thereafter as practicable, they shall select one member who shall act as chairman and another member who shall serve as secretary of said commission. In case of death, resignation or any other reason of any one of the commissioners being removed, his successor shall be elected by the two remaining commissioners.

Election of Chairman and Secretary.

SEC. 11. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Vacancies filled by remaining Commissioners.

SEC. 12. That this Act shall be in full force and effect from and after its ratification.

Conflicting laws repealed.

In the General Assembly read three times and ratified, this the 5th day of February, A. D. 1937.

H. B. 86

CHAPTER 35

AN ACT TO REPEAL CHAPTER TWO HUNDRED AND TWENTY-FOUR, PUBLIC-LOCAL LAWS ONE THOUSAND NINE HUNDRED AND TWENTY-NINE, DESIGNATING THE BANKS OF DUPLIN COUNTY A DEPOSITORY FOR THE FUNDS OF DUPLIN COUNTY, AND AUTHORIZING AND EMPOWERING THE BOARD OF COUNTY COMMISSIONERS TO DESIGNATE A DEPOSITORY OR DEPOSITORIES FOR THE FUNDS OF DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred twenty-four of the

Ch. 224, Public-Local Laws, 1929, repealed.

Commissioners, Duplin County, authorized to designate depository for county funds.

County Treasurer directed to keep funds in official depository.

Bond required.

State or Federal Government bonds in lieu of surety bond.

Conflicting laws repealed.

Public-Local Laws of one thousand nine hundred and twenty-nine, be, and the same is hereby repealed.

SEC. 2. The Board of County Commisisoners of Duplin County is hereby authorized and empowered to select and designate annually, by recorded resolution, some bank or banks or trust company as an official depository of the funds of the county, and the Treasurer of Duplin County is hereby authorized and directed to keep all funds of said county deposited in the designated depository: *Provided*, however, said bank or banks and each of them shall furnish a good and sufficient bond in some Surety Company authorized to do business in North Carolina, conditioned as a depository bond, in such sum as may be required by the Treasurer, and said bonds when so executed shall be filed with the said Treasurer: *Provided*, further, that the said Treasurer may accept United States government, or bonds of the State of North Carolina, in lieu of the surety bond required to protect such deposits.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 5th day of February, A. D. 1937.

H. B. 101

CHAPTER 36

AN ACT TO AMEND CHAPTER FOUR HUNDRED OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE ENTITLED "AN ACT TO DIVIDE MARTIN COUNTY INTO FIVE DISTRICTS, FROM EACH OF WHICH SHALL BE ELECTED A MEMBER OF THE BOARD OF COUNTY COMMISSIONERS."

The General Assembly of North Carolina do enact:

Ch. 400, Public-Local Laws, 1935, amended.

Nomination of candidate for Board of Commissioners, Martin County, from each of five districts.

Candidate from each district receiving highest vote nominated.

SECTION 1. That chapter four hundred of the Public-Local Laws of one thousand nine hundred and thirty-five, be, and the same is hereby amended, by striking out in its entirety section two and inserting in lieu thereof the following:

"That in the general primary or primaries held hereafter every two years preceding the general election, one candidate for the Board of Commissioners from each of the five districts created by section one of said Act, shall be nominated by the qualified voters of Martin County and should there be more than one candidate for such nomination from any of the said recognized political parties from any of the aforesaid five districts, that candidate from said district receiving the highest number of votes, voting being county-wide, shall be the nominee of his party from such district for election in the general election as now provided by law; and that should any party fail to

nominate a candidate from each of the aforesaid five districts as above provided, then the executive committee of such party shall name the nominee from said district, and such nominee shall be voted on in the general election as the nominee of such party."

Nominations by
Executive Committee
of Party.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws
repealed.

SEC. 3. That this Act shall be in full force and effect from and after the date of its ratification.

In the General Assembly read three times and ratified, this the 5th day of February, A. D. 1937.

H. B. 111

CHAPTER 37

AN ACT TO AMEND CHAPTER EIGHTY-FOUR, PRIVATE LAWS ONE THOUSAND EIGHT HUNDRED EIGHTY-FIVE, IT BEING AN ACT TO AMEND THE CHARTER OF THE TOWN OF AULANDER, RELATIVE TO POWER OF TOWN OFFICERS TO BUY AND SELL PROPERTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter eighty-four of the Private Laws of one thousand eight hundred and eighty-five be amended by striking out the period at the end of section five thereof and substituting therefor a semi-colon and adding thereto the following: "and the mayor and commissioners shall have power to acquire property, real or personal, in the name of the Town of Aulander, by lease or purchase, publicly or privately; and the mayor and commissioners shall have power to sell or lease, publicly or privately, any property, real or personal, belonging to the Town of Aulander."

Ch. 84, Private
Laws, 1885,
amended.

Mayor and Com-
missioners of Town
of Aulander author-
ized to acquire
and sell property.

SEC. 2. If any part of this Act shall be declared unconstitutional, it shall not affect any other part of the Act.

Partial invalidity
clause.

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws
repealed.

SEC. 4. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 5th day of February, A. D. 1937.

H. B. 112

CHAPTER 38

AN ACT TO VALIDATE TOWN OF AULANDER TAX SALES FOR ONE THOUSAND NINE HUNDRED THIRTY-FIVE AND ONE THOUSAND NINE HUNDRED THIRTY-SIX.

The General Assembly of North Carolina do enact:

SECTION 1. That the sales of land held and conducted by the

Tax sales by
Town of Aulander
validated.

Tax Collector of the Town of Aulander for failure to pay taxes levied for the years one thousand nine hundred thirty-five and one thousand nine hundred thirty-six, and all certificates of sale issued and executed pursuant to and in accordance with said sales be and the same are in all respects hereby approved, confirmed and validated and shall have the same force and legal effect as if said sales had been held and conducted on the date prescribed by law.

Partial invalidity
clause.

SEC. 2. If any part of this Act shall be declared unconstitutional, it shall not effect any other part of the Act.

Conflicting laws
repealed.

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 4. That this Act shall be in force and effect from its ratification.

In the General Assembly read three times and ratified, this the 5th day of February, A. D. 1937.

H. B. 113

CHAPTER 39

AN ACT TO VALIDATE THE ACTS OF THE COMMISSIONERS AND TAX COLLECTOR OF THE TOWN OF AULANDER IN ACCEPTING TOWN BONDS IN PAYMENT OF TAXES AND PAVING ASSESSMENTS AND TO ALLOW TAXES AND PAVING ASSESSMENTS FOR ONE THOUSAND NINE HUNDRED THIRTY-FOUR, AND PRIOR, TO BE PAID WITH BONDS.

The General Assembly of North Carolina do enact:

Certain acts of
Commissioners and
Tax Collector of
Aulander validated.

SECTION 1. That the acts of the Commissioners and the Tax Collector of the Town of Aulander, Bertie County, North Carolina, in accepting bonds and past due coupons of said town in payment of taxes levied by said town for the year one thousand nine hundred thirty-four, and any year or years prior thereto, and in payment of paving assessments which matured and became due and payable to said town during the year one thousand nine hundred thirty-four, and any year or years prior thereto, be and the same are in all respects hereby validated.

Commissioners and
Tax Collector of
Aulander authorized
to accept bonds,
etc., in payment of
1934 and prior
taxes and assess-
ments.

SEC. 2. That the Commissioners and Tax Collector of the Town of Aulander shall have power to accept bonds and past due coupons of said town, at par value, in payment of taxes levied by said town for the year one thousand nine hundred thirty-four, and any year or years prior thereto, and to accept bonds and past due coupons of said town, at par value, in payment of all paving assessments, together with interest thereon, which matured and became due and payable to said town during the year one thousand nine hundred thirty-four, and any year or years prior thereto.

Partial invalidity
clause.

SEC. 3. If any part of this Act shall be declared unconstitutional, it shall not affect any other part of the Act.

Conflicting laws
repealed.

SEC. 4. That all laws and clauses of laws in conflict with

this Act are hereby repealed.

SEC. 5. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 5th day of February, A.D. 1937.

H. B. 121

CHAPTER 40

AN ACT TO PROVIDE FOR A TAX COLLECTOR FOR UNION COUNTY AND AUTHORIZING THE COUNTY COMMISSIONERS OF SAID COUNTY TO FIX THE SALARY OF SAID TAX COLLECTOR.

The General Assembly of North Carolina do enact:

SECTION 1. That the office of tax collector of Union County be and the same is hereby created, and it shall be the duty of the County Commissioners of Union County, on or before the first day of October, one thousand nine hundred and thirty-seven, to select and appoint a competent person as tax collector who shall hold office during the pleasure of the Board, and it shall likewise be the duty of said Board of Commissioners upon said office becoming vacant through death, resignation or otherwise to fill such vacancy by like appointment.

Tax Collector for Union County authorized.

Appointed by Commissioners.

Vacancy appointment.

SEC. 2. The tax collector of Union County thus appointed shall, from and after the first day of October, one thousand nine hundred and thirty-seven, take over, exercise and succeed to all of the powers, duties and privileges now or hereafter conferred upon sheriffs by law with respect to the collection of taxes and special assessments collected as taxes within said County, including the authority and duty of enforcing the payment of taxes and assessments by distraint, levy, garnishment, or other process, the execution of tax sales and certificates, and generally to perform all functions with respect to the collection of taxes which are now or hereafter may be vested in sheriffs by law.

Powers, duties, and privileges.

SEC. 3. The Board of Commissioners, before turning over any tax list to said tax collector shall require him to give such bond or bonds for the faithful collection and accounting for the tax lists which go into his hands as are now or may be hereafter required of sheriffs when performing the duty of tax collector, the cost of such bonds to be borne by the county.

Bond.

Cost of bond.

SEC. 4. That the Board of County Commissioners by appropriate order may vest the said tax collector with authority for the collection of back taxes and require him to account therefor as he is required to account for the collection of current taxes.

Tax Collector may be authorized to collect back taxes.

SEC. 5. The tax collector whose office is created by this Act shall be paid a salary to be fixed by the Board of Commissioners of Union County, payable monthly, and in addition thereto the commissioners may in their discretion authorize said collector to retain as additional compensation legal fees authorized to be

Salary fixed by Commissioners.

Additional compensation.

charged by law as costs in case of levy, garnishment, or other process for the enforced collection of taxes or any part or percentage thereof.

Necessary assistants
authorized.

SEC. 6. The Board of County Commissioners of Union County are authorized to allow the said tax collector such deputies and office assistants as in their discretion may seem proper and necessary for the collection of the taxes and fix their compensation to be paid from the general funds of the county.

C. S. 1334 (47)
not applicable to
Tax Collector,
Union County.

SEC. 7. That the provisions of sub-section forty-seven of section one thousand three hundred thirty-four of the Consolidated Statutes of North Carolina shall not apply to the office hereby created, but nothing herein contained shall exempt the Board of County Commissioners of Union County from the duty of requiring the said tax collector to make periodic settlements with the Board as often as the Board may in its discretion require.

Periodic settle-
ments required.

Conflicting laws
repealed.

SEC. 8. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 9. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 5th day of February, A. D. 1937.

H. B. 139

CHAPTER 41

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF COLUMBUS COUNTY TO ISSUE BONDS FOR THE PURPOSE OF BUILDING AND EQUIPPING A COUNTY HOME, SUBJECT TO AN ELECTION TO BE HELD FOR SUCH PURPOSE.

The General Assembly of North Carolina do enact:

Commissioners,
authorized to issue
\$30,000 bonds for
County Home.

SECTION 1. That the Board of County Commissioners of Columbus County are hereby authorized and empowered to issue bonds of said County in an aggregate principal amount not exceeding thirty thousand dollars (\$30,000.00), for the purpose of building and equipping a County Home for the aged and infirm in Columbus County: *Provided* a majority of the votes cast in an election to be held are in favor of the issuance of the bonds as hereinafter provided.

County referendum
provided.

Commissioners,
authorized to call
election.

SEC. 2. That the Board of County Commissioners of Columbus County are hereby authorized and empowered to cause an election to be held in Columbus County at such time as they shall name, providing the said election shall not be held until notice thereof shall have been given by a notice posted at the court house door in the town of Whiteville for thirty days and by publication of a like notice for four successive weeks in some newspaper published and circulating in the County of Columbus, prior to the holding of said election, upon the question as to whether or not the Board of Commissioners of Columbus

Notice of election.

Question to be
voted upon.

County shall issue thirty thousand dollars (\$30,000.00) of bonds of the County of Columbus, to be known and designated as "Columbus County Bonds for a County Home."

SEC. 3. That at said election all qualified voters who favor the issuing of said bonds shall vote a ballot upon which shall be written or printed the words: "For Columbus County Bonds for a County Home," and all qualified voters who are opposed to the issuing of said bonds as provided for in this Act shall vote a ballot upon which shall be written or printed the words: "Against Columbus County Bonds for a County Home." That said election shall be held under and pursuant to the general election laws of the State of North Carolina governing the election of County officers as near as the same is practicable, and the County Board of Elections shall have printed and distributed a sufficient number of ballots as herein provided for, and the expenses of holding the said election shall be paid for by the County of Columbus out of the general county fund. The judges of election and poll holders of the various precincts shall make their returns to the Board of County Commissioners of Columbus County who shall canvass the same and declare the results of the election, all of which shall be recorded in the minutes of the Board of County Commissioners, and no other recording and declaring of results of the election shall be necessary.

SEC. 4. That in the event a majority of the votes cast at said election shall be votes "For Columbus County Bonds for a County Home," and the result declared and recorded as aforesaid, the Board of County Commissioners of said county are hereby authorized, empowered and directed to have prepared and issued bonds of Columbus County in denominations not exceeding one thousand dollars (\$1,000.00) and not less than five hundred dollars (\$500.00), in the aggregate sum up to and not to exceed five per cent per annum with interest coupons attached, payable semi-annually or annually, as may be deemed best by said Board of County Commissioners, and during the time of their running the principal thereof shall be payable or redeemable at such time or times not exceeding thirty years from the date of their issue as the Board of County Commissioners may determine, and the said bonds and coupons shall be payable at such place or places and at such time or times as the said Board of County Commissioners may direct. That said bonds shall be in such form as may be prescribed by the Board of Commissioners of Columbus County and shall be named and styled "Columbus County Bonds for a County Home." Said bonds shall be signed by the Chairman of the Board of Commissioners of Columbus County, and countersigned by the Clerk of said Board who is by law the county auditor; that a facsimile of the signature of the Chairman shall be lithographed upon the interest coupons; that none of said bonds shall be valid until the seal of the Board of Commissioners of Columbus County shall have been attached thereto. The Board of Commissioners of Colum-

Wording of ballots.

Election held pursuant to General Election Laws.

Printing of ballots.

Expenses of election.

Returns canvassed.

Results declared and recorded.

If majority vote is affirmative, Commissioners authorized to issue bonds.

Bond denominations.

Interest.

Form of bonds.

Signing of bonds.

Seal required.

Serial bonds authorized.

Faith and credit of Columbus County pledged for payment.

Sale under supervision of Local Government Commission.

Special tax levy to pay bonds and interest.

Separate fund for proceeds of bond sales.

Purchaser bound to see proper application of funds.

Conflicting laws repealed.

bus County is hereby authorized and empowered, if in their discretion it may seem best to issue said bonds serially, that the form of said bonds and coupons shall be adopted by the Board of Commisisoners and shall be entered upon the minutes of said Board; that the faith and credit of the County of Columbus shall be pledged for the payment of both principal and interest of said bonds.

SEC. 5. That the Board of Commissioners of Columbus County shall offer for sale and sell the said bonds by such advertising as to them may seem best and under the direction and supervision of the Local Government Commission, and in accordance with the Statutes of North Carolina relative to the sale of bonds.

SEC. 6. That in the event a majority of the votes cast in said election shall be votes "For Columbus County Bonds for a County Home" as herein provided for, then and in such event, the Board of Commissioners of Columbus County shall annually levy a special tax upon all the property and subjects of taxation in the County of Columbus, sufficient to provide for the payment of the interest coupons on said bonds and a fund for the payment of the principal of said bonds as it shall become due.

SEC. 7. That the proceeds of the sale of such bonds shall be placed in a separate fund and used only for the purpose for which the bonds were issued. The purchaser of the bonds shall be bound to see the application of the proceeds.

SEC. 8. That all laws and parts of laws in conflict with this Act are hereby repealed.

SEC. 9. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 5th day of February, A. D. 1937.

H. B. 202

CHAPTER 42

AN ACT TO VEST TITLE TO THE PUBLIC LANDING ON ROANOKE RIVER IN WARREN NECK IN THE COMMISSIONERS OF MARTIN COUNTY AND TO AUTHORIZE THE SALE OF SAME.

The General Assembly of North Carolina do enact:

Title to Public Landing on Roanoke River in Warren Neck, Martin County, vested in Commissioners, Martin County.

SECTION 1. That the Public Landing on Roanoke River, approximately one mile west of the mouth of Welche's Creek and situate at or near the junction of upper and lower Warren Neck Farms in Martin County, having been used and recognized by the general public as a Public Landing more than sixty years, the same is hereby declared to have been fully dedicated and accepted by Martin County, and the title to same is hereby vested in the Commissioners of said County and their successors in office.

SEC. 2. That when it appears to the Commissioners of Mar-

tin County that the said Public Landing is no longer a necessary public convenience and the same is no longer necessary to be maintained, the said Commissioners, upon adoption of a resolution to that effect, may declare the said Public Landing to be abandoned and are authorized to sell and convey the same at public or private sale for such sum as in their opinion is just and fair, and to make title to the purchaser.

Commissioners,
Martin County,
authorized to sell
said Public Landing.

SEC. 3. That all laws or clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws
repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 5th day of February, A. D. 1937.

H. B. 71

CHAPTER 43

AN ACT TO VALIDATE AND PROVIDE FOR THE FUNDING OF CERTAIN OUTSTANDING NOTES OF THE CITY OF SALISBURY.

The General Assembly of North Carolina do enact:

SECTION 1. The outstanding Bond Sales Anticipation Loan Notes of the City of Salisbury of the aggregate face amount of two hundred and thirty thousand (\$230,000.00) dollars, described in the ordinance adopted by the City Council of said City on the eighth day of January, one thousand nine hundred and thirty-seven, which ordinance authorizes the issuance of bonds of an aggregate principal amount not exceeding two hundred and twenty-four thousand (\$224,000.00) dollars for the purpose of funding said notes, are hereby legalized and validated, and it is hereby determined that the indebtedness evidenced by said notes was incurred for necessary expenses of said City, within the meaning of section seven of article seven of the Constitution of North Carolina.

Bond Sales Anticipation Loan Notes, City of Salisbury, validated.

Indebtedness declared for necessary expenses.

SEC. 2. Said City is hereby authorized to issue bonds of said City pursuant to the Municipal Finance Act, one thousand nine hundred and twenty-one, as amended, and said ordinance adopted on the eighth day of January, one thousand nine hundred and thirty-seven, for the purpose of funding said notes.

Salisbury authorized to issue bonds for funding notes.

SEC. 3. The City Council of the City of Salisbury is hereby authorized to levy annually a special tax ad valorem on all taxable property in said City for the special purpose of paying the principal of and interest on all bonds issued under this Act, as such principal and interest become due, which tax shall be in addition to all other taxes authorized by law to be levied in said City.

Special tax levy authorized for payment of bonds.

Conflicting laws
repealed.

SEC. 4. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 5. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 6th day of February, A. D. 1937.

H. B. 96

CHAPTER 44

AN ACT TO ALLOW BASEBALL ON SUNDAY IN CAMDEN COUNTY FOR WHICH AN ADMISSION FEE IS TO BE CHARGED.

The General Assembly of North Carolina do enact:

Sunday baseball in
Camden County
legalized.

SECTION 1. That it shall be lawful for the game of baseball to be played on Sunday at any place or places in Camden County.

Admission fee.

SEC. 2. That it shall be lawful to charge an admission fee to said Sunday baseball games, in such amount as may be deemed right and proper by the managers of said baseball games.

Conflicting laws
repealed.

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 4. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 6th day of February, A. D. 1937.

H. B. 148

CHAPTER 45

AN ACT VALIDATING PROCEEDINGS HERETOFORE ADOPTED BY BRUNSWICK COUNTY, NORTH CAROLINA, FOR THE AUTHORIZATION OF THE REFUNDING BONDS AND FUNDING BONDS OF SAID COUNTY, VALIDATING THE BONDS TO BE ISSUED PURSUANT TO SUCH PROCEEDINGS AND THE INDEBTEDNESS REFUNDED AND FUNDED BY THE ISSUANCE OF SAID BONDS, PROVIDING FOR THE ISSUANCE AND PAYMENT OF SAID REFUNDING AND FUNDING BONDS AND PROVIDING THAT THIS ACT SHALL TAKE IMMEDIATE EFFECT.

The General Assembly of North Carolina do enact:

Proceedings of
Commissioners,
Brunswick County,
authorizing Re-
funding Bonds,
validated.

SECTION 1. That proceedings heretofore adopted by the Board of Commissioners of Brunswick County, North Carolina, for the authorization of one million nine hundred and twenty-five thousand dollars (\$1,925,000) Refunding Bonds, Series one thou-

sand nine hundred and thirty-five, and one hundred and seventy-five thousand dollars (\$175,000) Funding Bonds, Series one thousand nine hundred and thirty-five, of said county, including resolutions adopted on October nineteenth, one thousand nine hundred and thirty-six, are hereby in all things ratified, validated and confirmed and that notwithstanding any defects or irregularities which may have occurred in the authorization of said bonds, said bonds, when duly delivered in accordance with said proceedings, shall be and are hereby declared to be the valid and legally binding obligation of Brunswick County, North Carolina, in accordance with the terms thereof and are hereby validated and confirmed.

Funding Bonds
validated.

SEC. 2. That to facilitate the issuance of the bonds described in section one hereof, all of the indebtedness of Brunswick County, North Carolina, authorized to be refunded and funded by the issuance of said Refunding Bonds and Funding Bonds, whether said indebtedness be represented by bonds, coupons, warrants, notes, or otherwise, is hereby validated and confirmed notwithstanding any defects which may have occurred in the proceedings authorizing the incurring of said indebtedness and of all said indebtedness, and the bonds, coupons, notes, certificates of indebtedness, or other instruments evidencing said indebtedness are hereby validated and recognized and declared to be the validly outstanding and legally binding indebtedness and obligations of Brunswick County, North Carolina. It is hereby expressly found and declared that all of said indebtedness was incurred for the payment of the necessary expenses of said Brunswick County and was incurred for special purposes and with the special approval of the General Assembly in compliance with the provisions of the Constitution of North Carolina.

Indebtedness
authorized to be
refunded, validated.

Indebtedness de-
clared incurred for
necessary expenses.

SEC. 3. That the Board of Commissioners and officials of Brunswick County, North Carolina, are hereby authorized and empowered to adopt any and all proceedings and perform any and all acts necessary to the delivery and issuance of said Refunding Bonds and Funding Bonds, which proceedings may be by resolution adopted by said Board on a single reading without necessity for giving of notice or any right to referendum and that the Board of Commissioners may, in its discretion, issue said Refunding Bonds and Funding Bonds without first validating said bonds in the Superior Court of Brunswick County.

Commissioners
authorized to issue
Refunding and
Funding Bonds.

Proceedings for
issuance.

SEC. 4. That said Board of Commissioners is hereby empowered and directed annually to levy taxes on all taxable property in Brunswick County, North Carolina, at rates sufficient to pay principal of and interest on said bonds promptly at maturity and to carry out the provisions of the proceedings of said Board pursuant to which said bonds are to be issued.

Tax levy
authorized.

Conflicting laws
repealed.

SEC. 5. That all laws and parts thereof in conflict herewith are to the extent of such conflict, hereby repealed, and that this Act shall be in force from and after its ratification, the public welfare requiring it.

SEC. 6. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 6th day of February, A. D. 1937.

S. B. 34

CHAPTER 46

AN ACT TO PROHIBIT THE OPERATION OF POOL ROOMS AND PUBLIC DANCE HALLS, AND THE SALE OF BEER, WINE, AND OTHER ALCOHOLIC BEVERAGES WITHIN THREE MILES OF THE CENTER OF THE TOWN OF SALEMBURG IN SAMPSON COUNTY.

The General Assembly of North Carolina do enact:

Sale of alcoholic beverages, operation of pool room, public dance hall, prohibited within 3 miles, center of Salemburg, Sampson County.

Center of town designated.

Violation a misdemeanor.

Conflicting laws repealed.

SECTION 1. That it shall be unlawful to issue any license for the sale, or for any person, firm, or corporation to sell any wine, beer, or other alcoholic beverages, or operate a pool room or public dance hall within three (3) miles of the center of the Town of Salemburg, Sampson County. For the purposes of this Act the center of the Town of Salemburg shall be designated as the lot on which is situate the Boys' Dormitory of Edwards Military Institute.

SEC. 2. That all persons, firms, or corporations violating the provisions of this Act shall be guilty of a misdemeanor and fined or punished in the discretion of the court.

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 4. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 6th day of February, A. D. 1937.

H. B. 27

CHAPTER 47

AN ACT TO PLACE THE CLERK OF THE SUPERIOR COURT OF CHEROKEE COUNTY ON A SALARY AND TO FIX SAID SALARY.

The General Assembly of North Carolina do enact:

Clerk Superior Court, Cherokee County, placed on salary in lieu of fees.

SECTION 1. That the Clerk of the Superior Court of Cherokee County shall receive in lieu of all fees, commissions and compensations heretofore allowed said clerk an annual salary of twenty-five hundred dollars (\$2500.) to be paid in equal month-

ly installments, said salary shall include the salary of any assistants in said office.

SEC. 2. That all fees paid into the office of the Clerk of the Court shall be accounted for monthly and paid over to the County Commissioners of said County to be deposited with the general county fund.

Fees of office paid
to Commissioners

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws
repealed.

SEC. 4. That this Act shall be in full force and effect from and after the first day of April, one thousand nine hundred and thirty-seven.

Effective April 1,
1937.

In the General Assembly read three times and ratified, this the 8th day of February, A.D. 1937.

H. B. 67

CHAPTER 48

AN ACT TO AUTHORIZE, DIRECT AND REQUIRE THE CLERK OF THE COURT OF DUPLIN COUNTY TO PAY ALL SOLICITOR FEES COLLECTED IN ALL CASES TRIED IN THE GENERAL COUNTY COURT TO THE COUNTY TREASURER FOR CREDIT OF THE COUNTY FUND.

The General Assembly of North Carolina do enact:

SECTION 1. The Clerk of the Court of Duplin County is hereby authorized, directed and required to pay all Solicitor Fees collected in all cases tried in the General County Court to the County Treasurer of Duplin County for credit of the General County Fund.

Clerk of Court,
Duplin County,
directed to pay
Solicitor Fees to
County Treasurer.

SEC. 2. That this Act shall apply only to Duplin County.

Applies to Duplin
County only.

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws
repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 8th day of February, A. D. 1937.

H. B. 83

CHAPTER 49

AN ACT TO REPEAL CHAPTER FIVE HUNDRED AND FORTY-ONE PUBLIC-LOCAL LAWS, ONE THOUSAND NINE HUNDRED AND TWENTY-THREE, RELATING TO PROHIBITION ENFORCEMENT IN CASWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and forty-one, Public-Local Laws, one thousand nine hundred and twenty-three be and the same is hereby repealed.

Ch. 541, Public-
Local Laws, 1923,
repealed.

Conflicting laws
repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after is ratification.

In the General Assembly read three times and ratified, this the 8th day of February, A. D. 1937.

H. B. 84

CHAPTER 50

AN ACT TO REPEAL CHAPTER TWO HUNDRED AND FIFTY-EIGHT, PUBLIC-LOCAL LAWS, ONE THOUSAND, NINE HUNDRED AND TWENTY-FIVE, RELATING TO PROHIBITION ENFORCEMENT IN CASWELL COUNTY.

The General Assembly of North Carolina do enact:

Ch. 258, Public-
Local Laws, 1925,
relating to prohibi-
tion enforcement,
Caswell County,
repealed.

SECTION 1. That chapter two hundred and fifty-eight, Public-Local Laws, one thousand nine hundred and twenty-five be and the same is hereby repealed.

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 8th day of February, A. D. 1937.

H. B. 85

CHAPTER 51

AN ACT TO AMEND CHAPTER FOUR HUNDRED AND SIXTY-SIX, PUBLIC-LOCAL LAWS, ONE THOUSAND NINE HUNDRED AND TWENTY-SEVEN, RELATING TO ENFORCEMENT OF PROHIBITION LAWS IN CASWELL COUNTY.

The General Assembly of North Carolina do enact:

Ch. 466, Public-
Local Laws, 1927,
re Prohibition Laws,
Caswell County,
amended.

SECTION 1. That sub-sections (1) and (2) of section one, of chapter four hundred and sixty-six, Public-Local Laws, one thousand nine hundred and twenty-seven be and the same is hereby repealed.

SEC. 2. That sub-section (3) of section one of chapter four hundred and sixty-six, Public-Local Laws, one thousand nine hundred and twenty-seven, be and the same is hereby amended by striking out the words "fifteen dollars" in line three of said sub-section and inserting in lieu thereof the words "five dollars."

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after is ratification.

In the General Assembly read three times and ratified, this the 8th day of February, A. D. 1937.

Fee charged
upon conviction,
reduced .

Conflicting laws
repealed.

H. B. 114

CHAPTER 52

AN ACT TO VALIDATE CERTAIN SALES OF LAND FOR TAXES IN CRAVEN COUNTY AND CERTIFICATES ISSUED IN PURSUANCE THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. That all sales of land in Craven County for failure to pay taxes, held or conducted by the Sheriff or any other tax collector of said Craven County, or any city, town, or other municipality in said county during the years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six on any day subsequent to or other than the first Monday in September of said year, be, and the same hereby are approved, confirmed, validated and declared to be proper, valid and legal sales of such land, and legally binding in all respects, and all certificates of sale made and issued in accordance with such sales be, and they are hereby approved and validated to all intents and purposes, and with such full force and legal effect as if said sales had been held and conducted on said first Mondays of September, one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six.

SEC. 2. This Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 8th day of February, A. D. 1937.

Tax sales, Craven County and political subdivisions, 1935, 1936 taxes, validated.

Certificates of sale validated.

H. B. 116

CHAPTER 53

AN ACT TO VALIDATE ALL PROCEEDINGS RELATIVE TO THE CREATION AND ORGANIZATION OF SANITARY DISTRICTS IN CASWELL COUNTY, AND TO VALIDATE ALL BONDS AUTHORIZED BY REFERENDUM IN SAID DISTRICTS.

The General Assembly of North Carolina do enact:

SECTION 1. That all sanitary districts heretofore authorized, created, and organized in Caswell County pursuant to chapter one hundred of the Public Laws of one thousand nine hundred and twenty-seven, and acts amendatory thereto, are hereby authorized, validated, approved, and confirmed, notwithstanding any and all irregularities in any of the proceedings authorizing such sanitary districts whether such proceedings shall have been taken by the Board of County Commissioners or by the State Board of Health or by any other body, persons, or officers, or of the failure to comply with any of the provisions of said Act, and notwithstanding any want of authority on the part of the State Board of Health, the Board of Commissioners of said County, or any other body, to create such districts, and all pro-

Sanitary Districts, Caswell County, created under Ch. 100, Public Laws, 1927, as amended, validated.

Organization
proceedings
validated.

Bond elections,
sanitary districts,
Caswell County,
validated.

Bonds validated.

tax levy authorized.

Election proceed-
ings and bonds
authorized, validated.

ceedings heretofore taken by any public body, board, officers, or other persons in respect to the creation and organization of such districts are hereby validated, ratified, approved and confirmed.

SEC. 2. That all elections authorizing bonds in sanitary districts in said County pursuant to said chapter one hundred of the Public Laws of one thousand nine hundred and twenty-seven, and acts amendatory thereto, are hereby fully authorized, ratified, approved, and confirmed notwithstanding any want of power of such sanitary districts or governing body or commission or officer thereof, and notwithstanding any irregularities in any of the proceedings taken in connection with said election and in the issuance of bonds pursuant thereto, and all such bonds heretofore voted in such districts pursuant to such elections are hereby declared to constitute valid and binding obligations of said districts and the Commissioners of said County are hereby authorized and empowered to levy and collect annually, at the time other taxes are levied and collected, upon all the taxable property in such districts, a special tax of sufficient rate and amount to pay the principal and interest of such bonds as such principal and interest severally mature, and all election proceedings heretofore taken by any public body, board, officers, or other persons and all bonds authorized by such election in such districts are hereby validated, ratified, approved and confirmed.

SEC. 3. That this Act shall be in full force and effect from and after its passage.

In the General Assembly read three times and ratified, this the 8th day of February, A. D. 1937.

H. B. 126

CHAPTER 54

AN ACT RELATING TO THE FEES FOR REGISTERING FEDERAL CROP LIENS AND FEDERAL CHATTEL MORTGAGES IN HOKE COUNTY.

The General Assembly of North Carolina do enact:

Fee for
recording Federal
crop lien on
chattel mortgage,
Hoke County.

Applies to Hoke
County only.

Conflicting laws
repealed.

SECTION 1. That the fee to be charged by the Register of Deeds of Hoke County for the recordation of a Federal crop lien, or a Federal chattel mortgage given to secure a seed and fertilizer loan from the United States Government shall be one dollar for each lien or chattel mortgage.

SEC. 2. That this Act shall apply to Hoke County only.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 8th day of February, A. D. 1937.

H. B. 129

CHAPTER 55

AN ACT TO PROVIDE FOR THE PAYMENT OF CERTAIN
MONEYS TO BE PAID DIRECT TO THE CITY ADMIN-
ISTRATIVE UNITS OF MORGANTON AND GLEN AL-
PINE BY THE BOARD OF COUNTY COMMISSIONERS
OF BURKE COUNTY.

Whereas, the City Administrative Units of Morganton and Glen Alpine, and the Burke County Administrative Unit have heretofore contracted certain obligations for school desks, furniture, supplies and other articles formerly classified by the School Commission as "Capital Outlay Items"; and

Whereas, in the preparation of the budget for the fiscal year one thousand nine hundred thirty-six and thirty-seven, the Morganton City Administrative Unit put in their budget an item for capital outlay for the said fiscal year in the amount of twenty-five hundred seventy-six and eighty-seven one hundredths (\$2576.87) Dollars, and the Glen Alpine City Administrative Unit put in their budget an item for capital outlay for the said fiscal year in the amount of thirteen hundred eighty-six and one one hundredth (\$1386.01) Dollars, and the budgets for the said City Administrative Units were duly approved and the money appropriated by the former Board of County Commissioners for said purpose, and the said budgets were duly approved by the State School Commission; and

Whereas, it now appears from a ruling of the Attorney General of North Carolina that there is some doubt as to whether or not the County Accountant has the legal right to pay said sums designated as capital outlay direct to the City Administrative Units as aforesaid; *Now, Therefore*,

The General Assembly of North Carolina do enact:

SECTION 1. That J. H. Buckley, Chairman of the Board of Commissioners of the County of Burke, and R. M. Davis, County Accountant of Burke County, be and they are hereby authorized and empowered to pay by a voucher of said county direct to the proper authorities of the Morganton City Administrative Unit the sum of twenty-five hundred seventy-six and eighty-seven one hundredths (\$2576.87) Dollars, and to pay by a voucher of said county direct to the proper authorities of Glen Alpine City Administrative Unit the sum of thirteen hundred eighty-six and one one hundredth (\$1386.01) Dollars.

SEC. 2. This Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 8th day of February, A. D. 1937.

Preamble: Contracts for school supplies made by Administrative Units of Morganton, Glen Alpine and Burke County.

1936, 1937 budgets of Morganton and Glen Alpine Units providing for capital outlays, approved.

Doubt as to legal right to pay capital outlays direct.

Chairman of Commissioners and County Accountant, Burke County, authorized to pay sums direct to units named.

H. B. 133

CHAPTER 56

AN ACT TO REGULATE THE GRAND JURY OF HAR-
NETT COUNTY

The General Assembly of North Carolina do enact:

Selection of Grand
Jury, Harnett
County.

SECTION 1. That at the first term of court for the trial of criminal cases in Harnett County convening after the first day of May, one thousand nine hundred and thirty-seven, there shall be chosen a Grand Jury as now provided by law, and the first nine members of said Grand Jury chosen at said term shall serve until the convening of the first term of court for the trial of criminal cases in Harnett County convening after the first day of May, one thousand nine hundred and thirty-eight, and the second nine members of said Grand Jury so chosen shall serve until the first term of court for the trial of criminal cases in said county convening after the first day of November, one thousand nine hundred and thirty-seven, and thereafter at the first term of criminal court convening after the first days of May and November of each year there shall be chosen nine members of said Grand Jury to serve for a term of one year.

Staggered terms.

Provisions for filling
vacancies.

SEC. 2. In the event of any vacancy occurring in the said Grand Jury of Harnett County by death, removal from the county, or otherwise, the presiding judge may, in his discretion, order such vacancy or vacancies filled from the jury box, and said juror or jurors so drawn shall take the oath prescribed by law and shall fill out the unexpired term of the juror or jurors whose places they were drawn to fill.

Appointment of
Assistant Foreman.

SEC. 3. The presiding judge shall have the power, in his discretion to appoint an Assistant Foreman for the Grand Jury of said County of Harnett, and the said Assistant Foreman so appointed shall, in the absence or disqualification of the foreman, discharge the duties of the foreman of said Grand Jury.

Presiding Judge
authorized to as-
semble Grand Jury,
deliver additional
charge, and dis-
charge Grand Jury.

SEC. 4. At any time the judge of the Superior Court presiding over either the criminal or civil courts of Harnett County may call said Grand Jury to assemble and may deliver unto said Grand Jury an additional charge. The said judge presiding over the criminal or civil courts of said County of Harnett may discharge said Grand Jury from further service at any time, in which event he shall cause a new Grand Jury to be drawn which shall serve until the first term of court for the trial of criminal cases convening in Harnett County after the first day of May, next, when a new Grand Jury shall be chosen as provided in section one of this Act and whose term of service shall be as provided in said section.

In event of dis-
charge, new Grand
Jury provided.

Conflicting laws
repealed.

SEC. 5. That all laws and clauses of laws in conflict with the provisions of this Act be and the same are hereby repealed.

SEC. 6. This Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 8th day of February, A. D. 1937.

S. B. 43

CHAPTER 57

AN ACT TO FIX THE FEES OF JURORS IN THE SUPERIOR AND GENERAL COUNTY COURTS OF BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all regular and tales jurors serving in the Superior Court and General County Court in Buncombe County shall be entitled to receive, and shall be paid for their services, three dollars (\$3.00), per day and mileage at the rate of five cents (5c) per mile.

Fees and mileage for jurors in Superior and General County Courts, Buncombe County.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. This Act shall take effect on the first day of July, one thousand nine hundred and thirty-seven, and shall be in full force and effect thereafter.

Effective date.

In the General Assembly read three times and ratified, this the 11th day of February, A. D. 1937.

H. B. 41

CHAPTER 58

AN ACT TO AMEND CHAPTER FIVE HUNDRED TEN, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-FIVE, RELATING TO APPOINTMENT OF PLUMBING INSPECTOR FOR NEW HANOVER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section four of chapter five hundred ten, Public-Local Laws of one thousand nine hundred thirty-five, be and the same is hereby amended by striking out all of said section after the word and figures "Section seven and one half" in line three of said section and inserting in lieu thereof the following: "The Board of Health of New Hanover County shall appoint a Plumbing Inspector for the County of New Hanover and for the cities, towns and communities therein, who shall be the full time employee of the said Board with such miscellaneous duties as the Board may assign, to remain in office until his successor shall be appointed and who shall, under the direction of the said Board of Health of New Hanover County, enforce the rules, regulations and standard requirements in regard to plumbing installation and maintenance that may be established by authority of Government from time to time in New Hanover County. All fees for inspections and service of such Plumbing Inspector, collected as authorized by the Board of Health of New Hanover County, shall be paid into the salary fund of the

Ch. 510, Public-Local Laws, 1935, amended.

Appointment of Plumbing Inspector, New Hanover County.

Full time employee.

Duties.

Fees paid into salary fund, Board of Health.

said Board of Health for use in its operations as its other funds now are used.”

Conflicting laws
repealed.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 11th day of February, A. D. 1937.

H. B. 105

CHAPTER 59

AN ACT AUTHORIZING THE COMMISSIONERS OF MARTIN COUNTY AND THE GOVERNING BODY OF THE MUNICIPALITIES IN MARTIN COUNTY TO EXTEND THE TIME OF SALE FOR DELINQUENT TAXES TO THE FIRST MONDAY IN DECEMBER OF EACH YEAR.

The General Assembly of North Carolina do enact:

Martin County and municipalities therein authorized to extend time for tax sales, 1936 and prior taxes.

SECTION 1. That the Board of Commissioners of Martin County and the governing bodies of the various municipalities in Martin County, be, and they are hereby authorized, in their discretion, to extend the time for sale of real estate for failure to pay taxes for the year one thousand nine hundred and thirty-six and delinquent taxes of subsequent years, to the first Monday in December of each year hereafter, and such extension shall in no wise affect the tax lien. *Provided*, that nothing in this Act shall prevent the Board of Commissioners of Martin County and the governing body of the municipalities in Martin County from turning over to the Sheriff of said County and the tax collectors of the municipalities in Martin County the tax books and receipts for one thousand nine hundred and thirty-six and for future years upon giving proper bond, if required, and upon a settlement with said County and with the municipalities in Martin County for all taxes collected by the Sheriff of Martin County or the tax collectors of the municipalities of Martin County up to and including the time now provided by law for the turning over of such tax books and receipts.

Delivery to Sheriff and Tax Collector of tax books for 1936 and future years.

Conflicting laws
repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 11th day of February, A. D. 1937.

H. B. 107

CHAPTER 60

AN ACT RELATIVE TO MONROE MUNICIPAL PARK AND
POLICE JURISDICTION OF MONROE POLICE OFFI-
CERS.*The General Assembly of North Carolina do enact:*

SECTION 1. That it shall be unlawful for any person, firm or corporation, or group of persons to operate a dance hall, billiard parlor, bowling alley, pool parlor, shooting gallery, skating rink, race track, boxing or wrestling matches, tourist cabins or camps, circus, show carnival, or riding devices or any intoxicating beverages be handled for sale or sold within one-half mile of the Municipal Park of the City of Monroe, which is located on the south side of North Carolina Highway Number Twenty at Lake Lee in Monroe Township, and all persons now operating any business in violation of this Act shall immediately upon the ratification of this Act desist from the violation of this Act.

Operation of dance hall, etc., and sale of intoxicants within half-mile of Municipal Park, Monroe, prohibited.

SEC. 2. That for the purposes of giving the City of Monroe and its police officers power to protect and police said Municipal Park and surrounding territory, the authority and jurisdiction of patrolmen and police officers of the City of Monroe is hereby extended over the territory now occupied by said park and all adjacent territory within one-half mile of said park, in as full and ample manner as the police authority now exercised by the office of the Sheriff of Union County and Township Constable.

Jurisdiction of Monroe police extended over said territory.

SEC. 3. That any person, firm, corporation or group of persons desiring to operate or establish any business not covered in section one of this Act within five hundred feet of the Municipal Park located at Lake Lee, shall first apply to and secure from the governing body of the City of Monroe a license to operate said business and a permit to build any structure necessary to the operation of any contemplated business.

License required.

SEC. 4. That any violation of this Act shall constitute a misdemeanor and shall be punishable with a fine of fifty dollars or imprisonment, or both, in the discretion of the court and each separate day that such firm, person, corporation, or group of persons shall operate any of said enterprises in violation of this Act shall constitute a separate offense.

Building permit required.

Punishment for violation.

SEC. 5. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 6. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 11th day of February, A. D. 1937.

H. B. 165

CHAPTER 61

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF PASQUOTANK COUNTY TO EMPLOY THE REGISTER OF DEEDS OF SAID COUNTY TO ACT AS CLERK TO SAID BOARD.

The General Assembly of North Carolina do enact:

Additional pay
authorized for
Register of Deeds,
Pasquotank County,
for serving as Clerk
to Commissioners.

SECTION 1. That the Board of County Commissioners of Pasquotank County be, and it is hereby authorized to pay to the Register of Deeds of said County for his or her services as clerk of said Board an amount not to exceed fifty (\$50.00) dollars per month in addition to any other compensation that he or she is now receiving as Register of Deeds.

Conflicting laws
repealed

SEC. 2. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 11th day of February, A.D. 1937.

S. B. 51

CHAPTER 62

AN ACT TO AMEND CHAPTER THIRTY-NINE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-ONE WITH RESPECT TO THE CLERICAL ASSISTANTS ALLOWED THE REGISTER OF DEEDS OF UNION COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Sec. 5, Ch. 39,
Public-Local Laws,
1931, repealed.

SECTION 1. That section five of chapter thirty-nine of the Public-Local Laws of one thousand nine hundred thirty-one be and the same is hereby repealed.

Union County Com-
missioners authorized
to allow additional
clerical assistants
for Register of
Deeds.

SEC. 2. That the Board of County Commisisoners of Union County are authorized and empowered in their discretion to allow the Register of Deeds of Union County such additional clerical assistants as may be necessary to enable said Register of Deeds to properly and efficiently perform the duties of her office and pay the salaries of such assistant or assistants as the Board may fix from the general funds of the County.

Salaries.

Conflicting laws
repealed.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 12th day of February, A.D. 1937.

S. B. 77

CHAPTER 63

AN ACT RELATING TO THE DUTIES OF THE BOARD OF
EDUCATION OF NORTHAMPTON COUNTY RELATIVE
TO INVESTMENT OF FUNDS DERIVED FROM SALE
OF SCHOOL PROPERTY.*The General Assembly of North Carolina do enact:*

SECTION 1. That the proceeds from sale or sales of all school property and real estate sold and conveyed by the Board of Education of Northampton County, North Carolina shall be retained by said Board and expended by it for such school purposes as it may deem wise or necessary.

Proceeds from school property sales by Board of Education, Northampton County, retained for school purposes.

SEC. 2. That all laws or clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 12th day of February, A.D. 1937.

H. B. 137

CHAPTER 64

AN ACT TO AMEND SECTION ONE OF CHAPTER ONE
HUNDRED AND THIRTY-EIGHT OF THE PUBLIC-LOCAL
LAWS OF ONE THOUSAND NINE HUNDRED AND
NINETEEN, ADDING AN ACTIVE DAIRYMAN TO THE
JOINT BOARD OF HEALTH FOR THE COUNTY OF
WAKE AND THE CITY OF RALEIGH.*The General Assembly of North Carolina do enact:*

SECTION 1. That section one of chapter one hundred and thirty-eight of the Public-Local Laws of one thousand nine hundred and nineteen, be and the same is hereby amended by striking out all of the first paragraph of said section and inserting in lieu thereof the following:

Ch. 138,
Public-Local Laws,
1919, amended.

"A board of health for the City of Raleigh and County of Wake outside of the City of Raleigh, to be known as "The Board of Health of Wake County," is hereby created. Said Board of Health shall be composed of nine members, to-wit, the Mayor of the City of Raleigh, the Chairman of the Board of County Commissioners of Wake County, the Superintendent of Public Instruction of Wake County, the Superintendent of the public schools of the City of Raleigh, a practicing physician of Wake County, a practicing dentist of Wake County, an active dairyman of Wake County, and two others, who may be women; and in the event said two women are elected members of said Board, one shall be a trained nurse."

Board of Health of Wake County, created.

Members designated.

Ch. 426, Public-Local Laws, 1931, and conflicting laws, repealed.

SEC. 2. That chapter four hundred and twenty-six of the Public-Local Laws of one thousand nine hundred and thirty-one and all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 12th day of February, A.D. 1937.

S. B. 55

CHAPTER 65

AN ACT TO AMEND THE CHARTER OF THE CITY OF HIGH POINT, RELATING TO REVENUE-PRODUCING UNDERTAKING.

The General Assembly of North Carolina do enact:

Ch. 107, Private Laws, 1931, amended, affecting Charter of High Point.

SECTION 1. Chapter one hundred and seven of the Private Laws of one thousand nine hundred and thirty-one, being the Charter of the City of High Point, is hereby amended by adding thereto a new Article, designated "Article two-a," to read as follows:

"Article 2-a. *Revenue-Producing Undertaking.*

High Point granted powers conferred by Ch. 473, Public Laws, 1935, notwithstanding time limitation.

Section 1. The City of High Point shall have and may continue to exercise the powers conferred by the Revenue Bond Act of one thousand nine hundred and thirty-five, being chapter four hundred and seventy-three of the Public Laws of one thousand nine hundred and thirty-five, which any municipality now has or may exercise under said Revenue Bond Act, notwithstanding any time limitation upon the exercise of said powers contained in said Revenue Bond Act. It is the intention of this section to authorize the City of High Point to issue, within a period of four years from the date of the ratification of this Act, Revenue Bonds under the provisions of said Revenue Bond Act for any purpose which said City is now authorized by the Municipal Finance Act or any other law to finance by the issuance of bonds under and by virtue of said Revenue Bond Act or any other law now in effect."

High Point authorized to issue Revenue Bonds, within 4 years.

SEC. 2. This Act shall be in effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of February, A. D. 1937.

S. B. 89

CHAPTER 66

AN ACT TO AMEND CHAPTER ONE HUNDRED AND FIFTY-SEVEN PUBLIC-LOCAL LAWS ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE BEING "AN ACT TO PROVIDE FOR REGISTRATION OF PISTOLS AND SIMILAR FIREARMS BY OWNERS THEREOF IN DURHAM COUNTY," SO THAT SAME SHALL APPLY TO ALAMANCE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred fifty-seven Public-Local Laws of one thousand nine hundred and thirty-five be, and the same is hereby, amended by striking out in section nine thereof the six words after the word "apply" and inserting in lieu thereof "to the Counties of Durham and Alamance."

Ch. 157, Public-Local Laws, 1935, amended, Registration of firearms required in Alamance County.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of February, A. D. 1937.

S.B. 91

CHAPTER 67

AN ACT TO AMEND THE CHARTER OF THE CITY OF ROANOKE RAPIDS IN HALIFAX COUNTY, TO EXTEND ITS CORPORATE LIMITS AND TO PROVIDE FOR ITS GOVERNMENT AND FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. The inhabitants of the City of Roanoke Rapids shall continue as they have heretofore been, a body, politic and corporate, under the name and style of "Roanoke Rapids," and by that name have perpetual succession, may sue and be sued, may contract and be contracted with, may acquire and hold all such property, real and personal, as may be devised, bequeathed, sold, or in any manner conveyed or dedicated to it, and may invest in, sell or dispose of same, and may have a common seal and alter and renew the same at pleasure, and may have and exercise all the powers, rights and privileges necessary for its proper government or those usually appertaining to municipal corporations.

City of Roanoke Rapids continued as corporate body politic; general powers.

SEC. 2. All property, real, personal and mixed, of whatever character and description, and wheresoever situate, now held, controlled or used by the City of Roanoke Rapids for any purpose and by the territory embraced within the boundaries

Property to remain vested in City of Roanoke Rapids.

Obligations unimpaired.

Corporate limits, Roanoke Rapids, enlarged and extended.

Boundaries described.

Mayor and Board of Commissioners of six members provided for.

How elected.

Other officers, employees, etc.

Present Mayor and Commissioners continued in office.

Powers.

City of Roanoke Rapids divided into two wards.

North Ward described.

described in section three hereof, or which may hereafter be held, controlled or used by said City or which may have been vested in said City by virtue of any laws of the State of North Carolina, and any and all judgments, liens, rights of liens and causes of action of any and all kinds in favor of said City of Roanoke Rapids shall vest in, remain and inure to the said City of Roanoke Rapids, its successors and assigns; and no debts, obligations or bonds which now exist against said City shall be impaired or in any wise affected by the provisions of this Act.

SEC. 3. That the corporate limits of the City of Roanoke Rapids in Halifax County shall be enlarged and extended so as to include all the territory within the following boundaries:

Beginning at the point in the center of Chockoyotte Creek where the Western side of Marshall Street as extended in a Southerly direction intersects the center of Chockoyotte Creek, thence in a Northerly direction along said Western side of Marshall Street as extended, to the Southern Bank of Roanoke River, the dividing line between Halifax and Northampton Counties, thence in a Westerly direction along the Southern bank of Roanoke River along said boundary line between Halifax and Northampton Counties to the point where the center line of an alley west of Rapids Street as extended in a Northerly direction intersects the boundary line between Halifax and Northampton County at the Southern bank of Roanoke River, thence in a Southerly direction along the center of said alley West of Rapids Street to the center of Chockoyotte Creek, thence in an Easterly direction along the center of Chockoyotte Creek to the point of beginning.

SEC. 4. The corporate powers of the City of Roanoke Rapids shall be exercised by a Mayor and Board of Commissioners consisting of six members, to be elected in accordance with the general laws regulating elections in cities and towns, except as herein otherwise provided, and such other officers, agents and employees as may be chosen by the Board of Commissioners. The present Mayor of the town of Roanoke Rapids shall hold office until the expiration of his present term of office and until his successor is elected and qualified and the present members of the Board of Commissioners shall constitute said Board until the expiration of their present term of office and until their successors are elected and qualified, and the said Mayor and Board of Commissioners, as such, shall have the same power and authority heretofore conferred upon them in the area within the present corporate limits of said town and may exercise all such authority within the area mentioned in section three hereof together with all such additional powers and authority conferred by this Act.

SEC. 5. The territory comprised within the corporate limits of said City of Roanoke Rapids is hereby laid off into two wards, as follows: The North Ward shall be comprised of all the territory of the said City lying on the North side of the center line

of Eighth Street as extended in a straight line from the Eastern to the Western boundaries of the corporate limits of said City as hereinbefore described in section three; the South Ward shall be comprised of all the territory of said City lying on the South side of the center line of Eighth Street as extended in a straight line from the Eastern to the Western boundaries of the corporate limits of said City as hereinbefore described. For the purpose of elections, the City of Roanoke Rapids shall be divided in such precincts as the Board of Commissioners shall create *Provided* the said Board of Commissioners shall make the voting places and the boundaries of said precincts conform, as nearly as may be practicable, to those designated and prescribed by the general law for the election of State and County officers.

South Ward described.

Election precincts.

SEC. 6. The officers of said Town shall consist of a Mayor and six Commissioners. The said officers shall have authority to appoint such officers and servants as may be necessary for the conduct and management of the City of Roanoke Rapids and such other rights, powers and authorities prescribed under the general laws for such office. The Mayor shall be elected from the City at large as is now by law provided, and the Commissioners shall be elected by wards as is now by law provided.

Officers consist of Mayor and six Commissioners.

Other officers and servants.

Election of Mayor and Commissioners.

SEC. 7. All property, real, personal and poll, within the corporate limits of the Town of Roanoke Rapids as set forth in section three hereinbefore shall be listed for taxation and taxes collected under the general laws.

Taxation of property within corporate limits.

SEC. 8. All matters pertaining to the administration of the government of the Town of Roanoke Rapids, and not provided for in this Act, shall be governed by the laws of the State of North Carolina as contained in chapter fifty-six of the Consolidated Statutes of North Carolina, and all subsequent amendments thereto.

Provision for government.

SEC. 9. That the Mayor and Board of Commissioners of said City shall immediately cause to be made by a competent surveyor, a survey of the territory within the corporate limits of the City of Roanoke Rapids and the corporate limits of said City described in section three hereof and a map prepared therefrom and recorded in the office of the Register of Deeds for Halifax County, North Carolina; the expenses to be borne by the City of Roanoke Rapids.

Survey of territory within corporate limits directed.

Preparation and registration of map required.

Payment of expenses.

SEC. 10. For the purpose of raising revenue for defraying the expenses incident to the proper government of the City of Roanoke Rapids, the Board of Commissioners shall have the power and it is hereby authorized to levy and collect an annual ad valorem tax on all taxable property in Roanoke Rapids at a rate not exceeding fifty cents (\$.50) on the one hundred dollars valuation of said property, notwithstanding any other law, general or special, heretofore or hereafter enacted, except a law hereafter enacted expressly repealing or amending this section,

Levy and collection of taxes.

Limitation of tax rate.

License and
other taxes
authorized.

and to levy such other license, privilege, franchise and other taxes as the Board of Commissioners shall deem proper and as the Board of Commissioners are authorized and permitted to levy and collect by the general law.

Conflicting laws
repealed.

SEC. 11. That all laws and parts of laws in conflict with this Act, be and the same are hereby repealed.

SEC. 12. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of February, A. D. 1937.

H. B. 39

CHAPTER 68

AN ACT TO PROHIBIT THE SALE OF FIREWORKS IN BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

Fireworks prohibited
in Buncombe
County.

SECTION 1. That it shall be unlawful for any person, firm or corporation to sell or offer for sale, shoot, fire, discharge, display, or otherwise use or have possession of, any firecrackers, torpedoes, cap pistols, sky-rockets, Roman candles or other articles commonly known as fireworks in the County of Buncombe.

Permits for public
exhibitions.

SEC. 2. That for the purposes of enforcing the provisions of this Act, the sheriff of Buncombe County and the chiefs of police in all municipalities within the county are hereby empowered and authorized to issue permits for use in connection with the conduct of public exhibitions, such as fairs, carnivals, shows of all descriptions and public celebrations, but only after satisfactory evidence is produced to the effect that said pyrotechnics will be used for the aforementioned purposes and none other. Any person desiring to secure a permit as aforementioned shall make application to the sheriff of Buncombe County in which said pyrotechnics are to be used or to the chief of police of the municipality in which said pyrotechnics are to be used.

Application for
permit.

Punishment for
violations.

SEC. 3. That any person violating the provisions of this Act shall be punished with a fine not exceeding fifty dollars or imprisoned not to exceed thirty days.

Conflicting laws
repealed.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 5. That this Act shall be in full force and effect from the date of its ratification.

In the General Assembly read three times and ratified, this the 15th day of February, A.D. 1937.

H. B. 77

CHAPTER 69

AN ACT TO REPEAL CHAPTER SIXTY-TWO OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-ONE AND TO APPOINT THREE COMMISSIONERS FOR AVERY COUNTY.

Whereas, it is the sentiment of the electorate of Avery County that the Board of Commissioners of Avery County be elected for a term of two years instead of four years; and

Preamble: Sentiment in Avery County for two-year terms for Commissioners.

Whereas, Sam L. Heaton, one of the members of the said Board has resigned and said resignation has been accepted, and the Clerk of the Superior Court has failed to fill said vacancy for the unexpired term of the said Heaton; and

Vacancy on Board unfilled.

Whereas, it becomes necessary, in order that said vacancy be filled, for three new members to be added to the present Board, making the same consist of five members, to serve until the next general election; *Now, therefore*,

Three new Commissioners necessary.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter sixty-two of the Public-Local Laws of one thousand nine hundred thirty-one be, and the same is hereby repealed.

Ch. 62, Public-Local Laws, 1931, repealed.

SEC. 2. That Ira M. Vance, of Pineola, J. W. Hughes, of Hughes, and Roy A. Harmon, of Elk Park be, and they are hereby appointed members of the Board of Commissioners of Avery County.

Three Commissioners, Avery County, appointed.

SEC. 3. That the term of office of each and every member of said Board shall expire on the first Monday in December, one thousand nine hundred thirty-eight.

Expiration of terms.

SEC. 4. That at the general election in one thousand nine hundred thirty-eight, there shall be elected to the Board of Commissioners of Avery County three persons, qualified as required by law, who shall constitute and be the Board of Commissioners of said County for a term of two years; and biennially thereafter, a board of three members shall be elected.

Election of successor members.

Two-year terms.
Biennial elections.

SEC. 5. That no member of said Board shall receive in excess of seventy-five (\$75.00) dollars per annum, plus mileage, for all services rendered to Avery County as such member.

Compensation.

SEC. 6. That all laws and clauses of laws in conflict herewith are hereby repealed.

Conflicting laws repealed.

SEC. 7. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of February, A.D. 1937.

H. B. 80

CHAPTER 70

AN ACT TO RELIEVE THE TAXPAYERS OF NEW
HANOVER COUNTY OF PENALTIES

The General Assembly of North Carolina do enact:

Taxpayers, New
Hanover County,
relieved of penal-
ties except 3%
interest and ad-
vertising costs.

SECTION 1. That all land owners subject to taxes in New Hanover County who are subject to penalties and whose land has been sold for non-payment of taxes are hereby relieved of all penalties and other costs except three per cent interest and advertising fees.

Settlement of
delinquent taxes.

SEC. 2. That the County Commissioners of New Hanover County, and City Commissioners of the City of Wilmington, are hereby authorized and directed to receive in full settlement, if tendered within six months, from the ratification of this Act, all back taxes less penalties, Attorney's fees and cost except as above provided.

Conflicting laws
repealed

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of February, A.D. 1937.

H. B. 106

CHAPTER 71

AN ACT TO INCORPORATE MONROE PARK AND RE-
CREATION COMMISSION IN THE CITY OF MONROE,
NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Monroe Park and
Recreation Commis-
sion created.

SECTION 1. That the general control, management, and authority over all lands now designated as parks, or that be hereinafter designated as parks or playgrounds in the City of Monroe, North Carolina, or in the vicinity of the City of Monroe, North Carolina, be and the same are hereby vested in a corporation to be known as The Monroe Park and Recreation Commission hereby created and composed of nine members who shall be citizens and residents of the City of Monroe, North Carolina, to be appointed by the governing board of said City, and after the appointment of said members by said Board, said corporation shall have the power to prescribe reasonable rules and regulations for its proper organization and procedure, and generally to manage, control, maintain, improve the property under its supervision in the interest of the public as means of income from any source may justify.

Appointment of
members.

General powers.

SEC. 2. That the powers, purposes and duties of the Monroe

Park and Recreation Commission shall be to acquire by purchase, lease, gift or otherwise, and to use, lay out, improve and maintain parks and playgrounds within or near the City of Monroe in the interest of the citizens of Monroe and vicinity, and to provide for such parks and playgrounds such equipment, including swimming pools, tennis courts, golf courses, and such other facilities for recreation and play as may be deemed necessary and essential, and particularly to manage and control the swimming pool, golf course, tennis courts, club house, and other facilities for recreation now located and situated near Lake Lee in Union County and owned by the City of Monroe, and to make such reasonable charges for the use of said facilities as the corporation may prescribe, and to charge such entrance fees for all exhibition games as may be reasonable and proper.

Particular powers and duties enumerated.

SEC. 3. That the members of said corporation shall elect from their body the necessary officers for the efficient management and operation of said corporation; and all funds coming into said corporation shall be held by the treasurer, who shall pay out said funds on vouchers approved by the Monroe Park and Recreation Commission.

Necessary officers for management.

Funds.

SEC. 4. That the method of selection of the members of said corporation shall be as follows and their terms of office shall be as hereinafter set out: The governing body of the City of Monroe shall choose nine members whose names shall be written on a piece of paper, each name being on a separate piece of paper and said piece of paper being deposited in a receptacle, as nominated and approved by said Board; after the nine members have been chosen and the name of each written on a separate piece of paper deposited as herein set out, the Clerk of the City of Monroe shall draw first three names from said receptacle, the three names first drawn shall serve for six years. Then, three more names shall be drawn whose term of office shall be for four years, and the remaining three shall serve for two years. All vacancies occurring on said Board, either by expiration of term of office or otherwise, shall be filled by the governing body of the City of Monroe. After the expiration of the terms of any member chosen and appointed as herein provided, their successors shall be appointed for a term of six years.

Method of selecting members.

Staggered terms.

Vacancy appointments.

Successor appointments.

SEC. 5. The terms of office of the various members of said Board shall be deemed to commence on the first Monday in March, one thousand nine hundred thirty-seven.

Commencement of terms.

SEC. 6. That the corporation shall not have power to mortgage or encumber in any way any property under its supervision, nor shall it have the power to contract any debt or incur any obligation in excess of its anticipated revenues.

Not authorized to encumber property.

Debt limitation.

SEC. 7. That said Monroe Park and Recreation Commission is hereby created a body corporate by the name of The Monroe Park and Recreation Commission, and by that name shall sue and be sued; may have a common seal; may acquire, receive and

Commission made a corporation.
Official name.

General corporate powers.

hold real estate in or near the City of Monroe, North Carolina, by purchase, gift or otherwise; and may acquire, receive and hold personal property by purchase, gift and bequest by will or otherwise; may contract and be contracted with for the purposes provided in this Act, and may make such rules, regulations and by-laws for its government and exercise of its powers as may be necessary, and may alter the same from time to time in such manner as shall not be in conflict with the laws of this State, or of the ordinances of the City of Monroe.

No compensation.

SEC. 8. The members of the corporation shall receive no compensation for their services.

Superintendent and Other employees.

SEC. 9. That the corporation may employ a superintendent and such other employees and servants as may be necessary to carry out the purposes of this Act.

Officers.

SEC. 10. That the officers of the corporation shall be a president, vice-president, secretary, and a treasurer; the treasurer of the City of Monroe shall, by virtue of his office, be also treasurer of the Monroe Park and Recreation Commission, and he shall be required to give sufficient bond to insure the safe keeping of all funds coming into his hands belonging to said Park and Recreation Commission, and he shall serve as such treasurer without compensation. All the said officers shall be elected at the first meeting of the members of the corporation, and shall hold office until their successors are duly elected as herein provided.

Bond required of Treasurer.

Election of officers.

Tenure.

Quorum.

SEC. 11. At all meetings of the corporation, a majority of the members shall constitute a quorum.

Tax levy by City of Monroe for upkeep of park prohibited except as provided herein.

SEC. 12. That the governing body of the City of Monroe shall levy no tax for the upkeep and maintenance of said parks and recreational centers except as hereinafter provided.

Tax levy authorized under certain conditions.

SEC. 13. That after the said corporation has operated said parks and recreational center or centers for a period of two years, and in event the said parks, park, recreational center, or recreational centers shall not have proved self-sustaining, the governing body of the City of Monroe shall levy, at the time of levying taxes for the necessary purpose of running the City of Monroe, an ad valorem tax of not more than five cents on each one hundred dollars (\$100.00) of real and personal property in the City of Monroe for the Monroe Park and Recreation Commission, and the governing body of the City of Monroe shall turn over to the Monroe Park and Recreation Commission said money when same shall have been collected; and said governing body of the City of Monroe shall not levy any tax then except as hereinafter provided.

Limitation.

No tax levied except as provided by Sec. 14.

Referendum on question of tax levy provided for.

SEC. 14. That for the purpose of ascertaining the will of the people of Monroe and its citizens upon the question of levying the taxes or any part thereof authorized or provided for in the foregoing section, an election shall be held at the voting precincts in the said City of such date as the governing board of the City of Monroe by resolution may designate. At said election

all voters of the City of Monroe qualified to vote at said election may vote a written or printed ticket. Those who favor such levy and authority shall vote a ticket with the words "For tax levy for maintenance of parks and recreational centers" written or printed thereon, and those who oppose such levy shall vote a ticket with the words "Against tax levy for maintenance of parks and recreational centers" written or printed thereon, and if a majority of the qualified voters of said City shall at said election vote for said tax and the result shall be so declared, then it shall be the duty of the governing body of said City to levy said tax. The said election shall be held in the manner provided by law for the holding of the regular municipal elections in the City of Monroe. It shall be the duty of the Chairman of the Board of Elections for Union County to give notice of said election as now provided by law, and he shall see that the registrars of the several voting precincts in the City are provided in due time with the registration books for their various and respective precincts, and he shall cause to be printed and distributed to the registrars a sufficient number of tickets both for and against said tax levy, and shall provide the registrar of each precinct with at least three blank forms for the returns of said elections. All expenses incurred in said election, if and when called, shall be paid by the governing board of the City of Monroe. It shall further be the duty of the said Board of Elections of Union County, if and when said election is called and held, to meet in the court house of Union County the third day after said election and canvass the returns of said election and judicially declare and determine the result thereof, and certify the result to the governing body of the City of Monroe, and post a copy of their canvass at the court house in said county.

SEC. 15. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 16. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of February, A.D. 1937.

Wording of ballots.

Tax levied if majority votes affirmatively.

Manner of holding election.

Notice of election.

Registration.

Printing of ballots.

Election expenses paid by City of Monroe.

Canvass of returns by Board of Elections, Union County.

Result declared and certified.

Conflicting laws repealed.

H. B. 170

CHAPTER 72

AN ACT TO REPEAL THE STATUTES CREATING THE BOARD OF FINANCIAL CONTROL FOR BUNCOMBE COUNTY AND TO CREATE A BOARD OF TAX SUPERVISION FOR BUNCOMBE COUNTY; TO CREATE CERTAIN OFFICES AND DEFINE THE POWERS AND DUTIES THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred fifty-three of the Public-Local Laws of the session of one thousand nine hundred

Certain laws repealed.

Board of Financial Control, Buncombe County, abolished.

Property, records, etc., of said Board relating to collateral securing deposits in defunct banks, transferred.

Property, etc., of said Board relating to taxes due Buncombe County, Asheville, etc., transferred.

Other records of Board transferred.

Board of Tax Supervision, Buncombe County, created.

Powers.

Membership.

Appointment of Chairman and Tax Supervisor.

and thirty-one creating the Board of Financial Control for Buncombe County, and any and all acts amending the same, including chapter three hundred ninety-four of the Public-Local Laws of the session of one thousand nine hundred and thirty-one, chapter one hundred eighty-nine of the Public-Local Laws of the session of one thousand nine hundred and thirty-three and chapter two hundred twenty-seven of the Public-Local Laws of the session of one thousand nine hundred and thirty-five, be and the same are hereby repealed.

SEC. 2. All property of any kind or nature including any asset or chose in action held by the Board of Financial Control for Buncombe County in connection with, pertaining to or derived from collateral securing deposits of Buncombe County and the City of Asheville in defunct banks, together with all of the records of said Board of Financial Control relating to such collateral securities is hereby transferred to said Buncombe County and City of Asheville as their interests may appear.

SEC. 3. All property, real or personal, judgments, tax sale certificates, equities or choses in action held by said Board of Financial Control in connection with, pertaining to or derived from taxes or assessments due the City of Asheville, Buncombe County or political subdivision thereof or any body politic or municipal corporation in Buncombe County, are hereby transferred to the Board of Tax Supervision for Buncombe County, hereinafter created, to be held by such Board for the use and benefit of the several bodies politic and municipal corporations as their interests may appear.

SEC. 4. All records of said Board of Financial Control not specifically mentioned herein together with all office supplies and equipment are hereby transferred to the Board of Tax Supervision for Buncombe County hereinafter created.

SEC. 5. There is hereby created a board to be known as the Board of Tax Supervision for Buncombe County and said Board shall possess all of the powers conferred by this Act and such other powers as may be useful or necessary to permit it to fully carry out the purposes of this Act. For the purpose of exercising the powers of the governmental administrative functions only as set out in sections twelve to twenty inclusive, for the use and benefit of Buncombe County and the City of Asheville, said Board is hereby declared to be a corporation with perpetual succession, the right to use a corporate seal, to sue and be sued and to purchase or otherwise acquire, manage, control, lease, sell and otherwise dispose of properties real and personal.

SEC. 6. Said Board of Tax Supervision for Buncombe County shall consist of three members, all of whom shall be qualified electors of Buncombe County. One member shall be known as Chairman and Tax Supervisor. The said Chairman and Tax Supervisor and the members of said Board shall be appointed by the Chairman of the Board of Commissioners of Buncombe County and the City Manager of the City of Asheville and in

case they shall disagree as to the appointment of any or all members of said Board, the Governor shall appoint any member of said Board on which the City Manager of the City of Asheville and the Chairman of the Board of Commissioners of Buncombe County cannot agree. The Chairman and Tax Supervisor and the members of said Board shall hold office at the pleasure of the City Manager and the Chairman of the Board of County Commissioners. In case of a vacancy on said Board for any reason whatsoever, the vacancy shall be filled as in the case of original appointments. The Chairman and Tax Supervisor shall devote his full time to the duties of his office and his salary shall be set by the Chairman of the Board of Commissioners of Buncombe County and the City Manager of the City of Asheville, but shall not exceed the sum of thirty-six hundred (\$3,600) dollars per annum. The members of said Board shall receive three hundred (\$300.00) dollars per annum payable monthly.

SEC. 7. The Board of Tax Supervision for Buncombe County shall hold its first meeting at noon on the first day of March, one thousand nine hundred and thirty-seven and thereafter said Board shall meet in regular session on the first Monday of each month, and at such other time, or times, as a special meeting may be called by the Chairman and Tax Supervisor or two of the members of said Board. Two members shall constitute a quorum of said Board. The Secretary to the Chairman and Tax Supervisor hereinafter provided, shall be ex officio clerk of said Board and shall keep all records, minutes and proceedings of said Board.

SEC. 8. The Chairman and Tax Supervisor shall have full power and authority to appoint a secretary, who shall be known as Secretary to the Chairman and Tax Supervisor and who shall hold office at the pleasure of said Chairman and Tax Supervisor, and said Secretary shall be ex officio clerk of the Board of Tax Supervision. The Chairman and Tax Supervisor shall have full power and authority to appoint all employees of the Department of Tax Assessments and Records, hereinafter mentioned, and the Tax Collector for the Board of Tax Supervision shall have full power and authority to appoint the employees of the Department of Tax Collections, hereinafter mentioned, but the Chairman of the Board of County Commissioners and the City Manager of the City of Asheville shall have full power and authority to designate the salaries and limit the number of employees in each of the above named departments.

SEC. 9. The activities of the Board of Tax Supervision, exercising the powers conferred by this Act, shall be carried on in the following departments:

Department of Tax Assessment and Records
Department of Tax Collections

Tenure of office.

Vacancy appointments.

Chairman and Tax Supervisor, full time position.

Salary limited.

Salary of members.

Meetings.

Quorum

Clerk to Board.

Duties.

Appointment of Secretary to Chairman and Tax Supervisor.

Tenure of office.

Ex-officio clerk to Board.

Appointment of employees, Dept. of Tax Assessments & Records.

Appointment of employees, Dept. of Tax Collections.

Number and salaries of employees.

Departments.

Dept. of Tax Assess-
ment and Records.

Department of Tax Assessment and Records

General powers of
Board of Tax
Supervision, etc.

The Board of Tax Supervision, its Chairman and Tax Supervisor shall in the manner hereinafter set out have exclusive power and authority in the County of Buncombe and in behalf and for the use and benefit of Buncombe County and the City of Asheville, to carry out, supervise and control the assessment and listing of properties, real and personal, for taxation including all the duties and all the rights and powers in connection therewith imposed and conferred by the Machinery Act of one thousand nine hundred thirty-five and/or which may be hereinafter imposed or conferred by a law or laws amending, supplementing or superseding said Machinery Act of one thousand nine hundred thirty-five and/or relating to the same subject matter including more particularly by way of illustration but not of limitation the following powers:

Particular powers:

- (a) The power to make, supervise and control the quadrennial tax assessment for taxation.
- (b) The power to direct, carry out and control the annual listing and assessing of property in years other than the quadrennial assessment year.
- (c) The power to perform all the duties of the Board of Equalization and Review.
- (d) The power to make out tax lists.

Duties performed
by Chairman and
Tax Supervisor.

SEC. 10. The powers conferred by the next preceding section shall be exercised through the Department of Tax Assessment and Records of which the Chairman and Tax Supervisor shall be chief executive officer. All duties to be performed in connection with the powers conferred by the next preceding section shall be performed by the Chairman and Tax Supervisor except as herein provided. The said Chairman and Tax Supervisor shall be the County Supervisor of Taxation within the meaning of the Machinery Act and perform the duties and exercise the powers of that office. The statutory duties of the Board of Equalization and Review shall be performed by the Board of Tax Supervision for Buncombe County.

Additional employ-
ees authorized as
Tax Assessors.

SEC. 11. For the purpose of assisting the said Board of Tax Supervision in carrying out the statutory powers and duties of the Board of Equalization and Review, and for the further purpose of facilitating the annual listing and assessing of properties in the quadrennial assessment years as well as other years, to the end that property may be uniformly and equitably assessed for the purpose of taxation, the said Chairman and Tax Supervisor is hereby authorized to employ, in addition to such employees as may be necessary to carry out the functions of the Department of Tax Assessment and Records, not more than three men, who shall work under his direction and shall be known as Tax Assessors. The said Tax Assessors shall be subject to provisions of section eight hereof and shall be paid on a per diem basis.

Number limited.

Compensation.

Department of Tax Collections

SEC. 12. All laws and clauses of laws relating to the election of a Tax Collector in Buncombe County and affecting the salary of such office are hereby repealed. Robert C. Collins, the present Tax Collector for Buncombe County and the Board of Financial Control, shall be the Tax Collector for the Board of Tax Supervision for Buncombe County for a period of two years from the date this Act becomes effective, and shall be paid a salary of three hundred (\$300.00) dollars per month. At the expiration of the term of office of the Tax Collector herein named and provided, or in the event of his death, resignation or disqualification, the Tax Collector of said Board of Tax Supervision shall be appointed by the Chairman of the Board of Commissioners of Buncombe County and the City Manager of the City of Asheville, and shall hold office at the pleasure of said Chairman of the Board of Commissioners of Buncombe County and the City Manager of the City of Asheville. The Tax Collector herein provided shall be known as the Tax Collector of the Board of Tax Supervision for Buncombe County and shall be the chief executive officer of the Department of Tax Collections. The salary of said Tax Collector shall be designated by the Chairman of the Board of Commissioners of Buncombe County and the City Manager of the City of Asheville, but such salary shall not exceed the sum of thirty-six hundred (\$3,600) dollars per annum.

SEC. 13. The Board of Tax Supervision and its Tax Collector shall have exclusive power and authority as hereinafter provided and in behalf of and for the use and benefit of Buncombe County and the City of Asheville to make, supervise and control the collection of taxes. It shall perform all the duties and have and possess and may exercise all the rights and powers in connection therewith, imposed and granted by sub-chapter three of chapter one hundred thirty-one of the Consolidated Statutes, and any acts amending, supplementing and/or superseding the same and/or relating to the same subject matter now or hereafter adopted, including more particularly by way of illustration but not of limitation, the following powers:

(a) The power to collect any and all taxes levied in the manner provided and authorized by this Act.

(b) The power to prescribe or grant all discounts and impose and collect all penalties in connection with the payment or non-payment of taxes allowed by law.

(c) The power to institute and conduct attachment and garnishment proceedings for the collection of taxes as provided by law.

(d) The power to sell real estate for non-payment of taxes and issue certificates of sale for real estate so sold, to the purchaser thereof.

(e) The power to purchase, in the name of the Board of Tax Supervision, any and all pieces and parcels or real estate or

Dept. of Tax Collections.

Laws as to election and salary, Tax Collector repealed.

Tax Collector for Board of Tax Supervision named.

Tenure of office.

Salary.

Successor appointments.

Tenure of office.

Title.

General powers of Board of Tax Supervision and Tax Collector.

Particular powers

(a) collect taxes.

(b) grant discounts, impose penalties.

(c) conduct attachment and garnishment proceedings.

(d) sell real estate.

(e) purchase real estate sold for non-payment taxes.

other property, sold for the non-payment of taxes, in default of other bidders in an amount sufficient to pay the unpaid taxes thereon and the costs of sale thereof. Each piece or parcel of property so purchased shall be held by the Board of Tax Supervision for the use and benefit of the several bodies politic and municipal corporations entitled to receive a portion of the taxes levied on such parcel, in proportion to their respective interest in the total amount of such tax item.

(f) conduct foreclosure suits.

(f) The power to institute and conduct in the name of the Board of Tax Supervision suits for foreclosure of tax liens and tax certificates.

(g) purchase of property at foreclosure sale.

(g) The power to purchase property at any sale thereof made in any proceeding to foreclose a tax lien or a tax certificate, and to take title thereto in the name of the Board of Tax Supervision. Any property so purchased shall be held by the Board of Tax Supervision for the use and benefit of the several bodies politic and municipal corporations entitled to receive a portion of the taxes levied on such parcel, in proportion to their respective interests in the total amount of such tax item.

(h) sell and convey property and tax sale certificates.

(h) The power to sell and convey any and all property, including tax sale certificates purchased as hereinbefore authorized or received and held under the provisions of section nineteen hereof, to such person and for such price, and on such terms, as to the Board of Tax Supervision shall deem for the best interests of the bodies politic and municipal corporations for the use and benefit of whom such property is held, *provided* that no tax sale certificate shall be sold for an amount less than the amount of unpaid taxes and costs indicated thereon. No real property or personal property other than tax sale certificates shall be sold for an amount less than the total unpaid taxes thereon and costs and expenses incurred in connection therewith and interest on such items to date of sale, without the authority of the governing bodies of the several bodies politic and municipal corporations having an equitable interest therein. The owner of any real or personal property owned and held by the Board of Tax Supervision as aforesaid, or the successor or successors in title of such owner shall have the right at any time before the sale and conveyance of such property by the Board of Tax Supervision as aforesaid to purchase said property for a consideration equal to the unpaid taxes on such property plus interest, costs, penalties and charges thereon allowed by law and interest on such items to date of purchase and on payment of such consideration shall receive from the Board of Tax Supervision a conveyance of such property without warrant.

Price limitation.

Prior owner's right to repurchase property.

Consideration.

Conveyances by Board without warranty.

Exclusive powers of Tax Collector.

Other powers, exercised by Board.

SEC. 14. Of the powers conferred by the next foregoing section, the power to collect taxes and penalties, to institute and conduct attachment and garnishment proceedings and to sell property for non-payment of taxes shall be exclusively exercised by the Tax Collector of the Board of Tax Supervision under the supervision of said Board of Tax Supervision. All other of

said powers shall be exercised by the Board of Tax Supervision, or by its authorized agent or representative.

SEC. 15. The Board of Tax Supervision shall have the right to fix and allow discounts for prompt payment of any and all taxes collectible by the Tax Collector and fix, impose and collect penalties for failure to pay any and all such taxes within the time required by law to such an extent as they shall deem for the best interests of the bodies politic and municipal corporations made subject to the provisions of this Act, *provided* that no discount shall be fixed or allowed and no penalty shall be fixed, imposed or collected in violation of the provisions of general law.

Board of Tax Supervision may allow discounts and impose penalties.

Discounts, penalties, in violation of general law, not authorized.

Said Board of Tax Supervision may also, in its discretion, establish rules for the payment of taxes in installments and may in its discretion provide that discounts given for payment of taxes and/or penalties imposed for non-payment of taxes, whether such discounts and penalties are mandatory under existing statutes or not, shall not apply to payments of taxes in regular installments at fixed and stated intervals, if such payments are made in accordance with the rules established for payment thereof.

Tax payments by installments authorized.

SEC. 16. The Tax Collector of the Board of Tax Supervision shall before eleven o'clock, a. m., on each business day, deposit in a banking depository designated by a body politic, or a municipal corporation, subject to the provisions of this Act, to the credit of such body politic or municipal corporation, or pay to the treasurer or other officer of such body politic, or municipal corporation, designated by the governing body thereof, any and all money and taxes collected by him during the next preceding business day belonging to such body politic or municipal corporation as indicated by the tax list, but all money and taxes collected by said Tax Collector which are pledged to the revolving funds or levied for the sinking funds (as intended and contemplated by all the proceedings, contracts, orders, ordinances and laws affecting the refunding of the obligations of the bodies politic and municipal corporations of Buncombe County) shall be deposited with the Sinking Fund Commission of Buncombe County or credited to it as herein provided for other bodies politic or municipal corporations. Said Tax Collector shall at the same time deliver to each officer, other than a banking depository, to whom such payment is made, a statement showing in detail all collections, made by him during the preceding business day, or moneys belonging to the body politic, or municipal corporation, represented by such treasurer or officer, and shall also deliver a copy of said statement to the chief executive officer of such body politic or municipal corporation, or to some other person by the governing body thereof designated to receive the same. Copies of all of such statements shall also be delivered by the Tax Collector to the Chairman of the Board of Tax Supervision. In the event any business day is banking holiday,

Collections deposited or paid to proper officer each day.

Revolving fund or sinking fund moneys and taxes.

Detailed statement daily by Tax Collector to officials of respective bodies politic.

Holiday receipts.

said Tax Collector shall on the next succeeding business day deposit in any bank designated as a depository as aforesaid, any and all moneys that should, under the provisions of this Act, have been deposited in said depository on said holiday, had said bank been open for business.

In case of emergency, additional day allowed for payment of deposit.

In case of emergency the Chairman of the Board of Tax Supervision, on the application of the Tax Collector, may grant to said Tax Collector an additional business day in which to make payment or deposit as aforesaid, but notice of the grant of such emergency privilege shall be given to the chief executive of each body politic and municipal corporation, subject to the provisions of this Act. That all publications, notices and advertisements required in carrying out the purposes of this Act shall be in accordance with the terms of section seventeen (a) of the City Charter of the City of Asheville.

Publications, etc., to comply with Asheville City Charter, Sec. 17 (a).

Annual settlement by Tax Collector.

SEC. 17. The Tax Collector of the Board of Tax Supervision under the supervision of the Chairman of said Board shall, on or before the first day of July of each year, settle with each body politic and municipal corporation, for which said Tax Collector collects taxes under the provisions of this Act. Such settlement shall be made in the manner now provided by law for the settlement of sheriffs and tax collectors. Upon such settlement, all items of unpaid taxes, all unpaid tax sale certificates and all property owned and held by the Board of Tax Supervision by virtue of purchases at sales of property in proceedings to foreclose tax liens shall remain in the hands of the Board of Tax Supervision and be chargeable to it on the books of each body politic and municipal corporation for which it collects taxes under the provisions of this Act.

Tax Collector directed to proceed promptly and vigorously with collections, etc.

SEC. 18. It is declared to be the duty of the Tax Collector to promptly and vigorously proceed with the collection of all taxes placed in his hands for collection, to use all of the means given him by law to that end and to make promptly all sales of real estate for non-payment of taxes within the time required by law. It is declared to be the duty of the Board of Tax Supervision to supervise the performance of said duties by said Tax Collector and to see that such duties are performed, and it is declared to be the duty of the Board of Tax Supervision to promptly bring all actions authorized and required by law for the foreclosure of tax liens by suit and otherwise to make use of all of the powers and authorities vested in it to secure collection of any and all items of taxes, the duty to collect which is imposed on it or on its Tax Collector.

Supervision of Tax Collector, by Board.

Foreclosures by Board.

New Board and Tax Collector succeed to powers, etc., of Board of Financial Control and Collector.

SEC. 19. The Board of Tax Supervision and its Tax Collector, with respect to the collection of taxes shall succeed to the powers and duties of the Board of Financial Control and its Tax Collector, and shall become effective on the first day of March, one thousand nine hundred and thirty-seven. The Board of Tax Supervision and its Tax Collector shall have no powers or duties with respect to the collection of any tax items for the year one

No duties as to 1928 and prior taxes.

thousand nine hundred and twenty-eight and prior years. The collection of all tax items for the year one thousand nine hundred and twenty-eight and previous years now uncollected, shall be made by the several bodies politic or municipal corporations for whose benefit they were levied in the manner now provided by law, and for the purpose of such collection and to liquidate and realize upon any tax sale certificates or any property, real or personal, purchased on the foreclosure of any tax sale certificates or tax liens, the governing bodies of the County of Buncombe and the City of Asheville are hereby given and may respectively exercise all of the powers conferred on the Board of Tax Supervision by sub-section (h) of section nine of this Act, with respect to any such property now held or hereafter acquired as aforesaid, but such power shall be exercised subject to the limitations imposed by said sub-section (h) of section nine in so far as applicable and subject to the rights of owners of real or personal property or the successor or successors in title of such owners as set out in said sub-section.

Collection of 1928 and prior taxes.

Governing bodies, Buncombe County and Asheville, given certain powers.

SEC. 20. It shall be lawful for the Board of Tax Supervision in bringing actions for the foreclosure of tax liens and tax sales certificates, to include in one action any and all liens and certificates covering the same real and/or personal property.

One action authorized for foreclosure of all liens, etc. covering same property.

General Provisions

SEC. 21. The Board of Tax Supervision, subject to any limitations imposed by law, shall have full power and authority to make and establish reasonable rules and regulations for the management and operation of its several departments. By way of illustration, but not of limitation it may:

Regulations by Board of Tax Supervision.

(a) Prescribe the form of tax notices and tax receipts and the procedure to be followed in connection with the issuing thereof.

Form of tax notices and procedure.

(b) Prescribe the form of all notices, statements and other records and the procedure in connection with the use thereof, deemed proper or necessary to be used in performing any of the duties or exercising any of the powers imposed or conferred by this Act.

Form of other records and procedure.

SEC. 22. The Board of Tax Supervision shall prepare and adopt a budget for its own operations and furnish a copy thereof before June first of each year to the governing body of each body politic and municipal corporation, subject to the provisions of this Act.

Adoption of budget.

SEC. 23. The necessary expenses of the Board of Tax Supervision including compensation of officers and employees and all other necessary expenses shall be paid as follows:

Payment of Board's expenses.

sixty per cent thereof by Buncombe County, and
forty per cent by the City of Asheville.

The method of handling the accounts between the Board of Tax Supervision for Buncombe County and the City of Asheville, for the prompt payment of all salaries and expenses of the Board of Tax Supervision, shall be determined and adopted by

Method of handling accounts.

the Chairman of the Board of County Commissioners of Buncombe County and the City Manager of the City of Asheville.

Legal counsel
authorized.

SEC. 24. For the purpose of carrying out the functions of this Act the Chairman and Tax Supervisor of the Board of Tax Supervision is hereby empowered to employ legal counsel.

Conflicting laws
repealed.

SEC. 25. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Partial invalidity
clause.

SEC. 26. If any part of this Act shall be held unconstitutional the remainder shall stand.

Effective date.

SEC. 27. This Act shall take effect on the first day of March, one thousand nine hundred and thirty-seven, and shall be in full force and effect thereafter.

In the General Assembly read three times and ratified, this the 15th day of February, A.D. 1937.

H. B. 172

CHAPTER 73

AN ACT TO REGULATE THE PAY FOR JURORS IN HARNETT COUNTY.

The General Assembly of North Carolina do enact:

Fees and mileage
allowance for
grand and regular
jurors, Harnett
County.

SECTION 1. The County Commissioners of Harnett County shall pay all grand jurors and regular jurors drawn and required to serve as such within said County the sum of four dollars (\$4.00) per day and mileage for each day or fraction thereof such person or persons may be required to serve; *provided*, grand jurors shall be paid only for such time as the grand jury may actually be in session.

Fees and mileage
allowance for
tales jurors,
Harnett County.

SEC. 2. The County Commissioners of Harnett County shall pay all persons required to serve as tales jurors at any term of court within said County the sum of two dollars (\$2.00) per day and mileage for each day or fraction thereof such person or persons may serve as tales juror whether said juror or jurors be sworn for one day or more.

Applies only to
Harnett County.

SEC. 3. This Act shall apply only to Harnett County.

Conflicting laws
repealed.

SEC. 4. That all laws and clauses of laws in conflict with the provisions hereof be and the same are hereby repealed.

SEC. 5. This Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of February, A.D. 1937.

H. B. 189

CHAPTER 74

AN ACT TO AMEND CHAPTER THREE HUNDRED AND TWO, PRIVATE LAWS ONE THOUSAND NINE HUNDRED AND THIRTEEN RELATING TO THE CHARTER OF THE TOWN OF OXFORD.

The General Assembly of North Carolina do enact:

SECTION 1. That section thirty of chapter three hundred and two of the Private Laws, one thousand nine hundred and thirteen, be and the same is hereby amended to read as follows:

Ch. 302,
Private Laws, 1913,
amended.

SECTION 30. That the following fees shall be charged and collected by the mayor from all persons adjudged to pay costs, or a fine and costs, in his court for violation of any ordinances or the commission of any offense of which he shall have final jurisdiction: affidavit for warrant, twenty-five cents; issuing warrant for arrest of persons, each person, one dollar fifty cents; executing such warrant, each person, one dollar fifty cents; trial and judgment, each person found guilty, one dollar fifty cents; subpoena, each witness, twenty cents; serving subpoena, each witness, fifty cents; taking bond, each person, fifty cents; recognizance to Superior Court, each person, twenty-five cents; continuance of a cause, fifty cents; commitment, each person, fifty cents. In all matters heard before the mayor, where he shall not have jurisdiction and shall bind over to the Superior Court, the scale of fees as herein provided for shall obtain, and such fees shall be paid on the final determination of the cause in the Superior Court in the same manner as is prescribed by law for the payment of fees to justices of the peace. Each witness appearing in the mayor's court, who is duly sworn and examined before the mayor, shall receive and be allowed for each day he is in attendance, one dollar. All of the above fees when collected, except for persons not in the employ or service of the town, shall be paid into the town treasury for the benefit of the town. It shall be the duty of the mayor to see that all fees are collected by the police officers of the town. Upon the collection of such fees by the police officers, they shall be turned over to the mayor, who shall make report of the same each month to the Board of Commissioners and shall at said time pay said fees over to the town treasurer.

Fees and Costs
for Mayor's Court,
Oxford.

Witness fees.

Fees paid into
town treasury.

Collection.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws
repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of February, A.D. 1937.

H. B. 217

CHAPTER 75

AN ACT TO CREATE A TAX COMMISSION FOR CATAWBA COUNTY.

The General Assembly of North Carolina do enact:

Catawba County
Tax Commission
created; appointment
of members.

Staggered terms.

Vacancy appoint-
ments.

Number of members
belonging to same
party limited.

Time of making
appointments.

Time of taking
office.

Appointments by
incoming Board in
certain event.

Year defined for
determining length
of terms.

Members subject to
removal.

Notice and hearing.

Designation of
Chairman and
Secretary.

Vacancy
appointments.

Compensation of
members.

Extra pay for Chair-
man and Secretary.

Oath prescribed.

SECTION 1. That there is hereby created the Catawba County Tax Commission consisting of five members, all of whom shall be freeholders, to be appointed by the County Commissioners. Two of the original appointees shall serve for terms of one year, two shall serve for terms of two years, and one shall serve for a term of three years. Thereafter, their successors shall be appointed for three year terms. Any vacancy occurring on said Commission shall be filled by appointment of the Board of County Commissioners at its first regular meeting following the occurrence of such vacancy, the appointment to be for the unexpired term. Not more than three members of said Tax Commission shall, at any time, belong to the same political party.

SEC. 2. That all appointments to said Tax Commission, other than appointments to fill vacancies, shall be made not later than the first Monday of the month preceding the tax-listing day, and the appointees shall take office on the first Monday of the month preceding the tax-listing day. In any year in which a new Board of County Commissioners is to take office on the latest day herein fixed for appointment of members to said Tax Commission, said appointments shall be made by the incoming Board of County Commissioners. The period elapsing between the dates herein fixed for the taking office of members of the Tax Commission (other than members appointed to fill vacancies) in any two consecutive years, shall be regarded as one year for the purpose of determining the length of terms of all members of said Tax Commission.

SEC. 3. That members of said Tax Commission shall be subject to removal for good cause shown by the Board of County Commissioners: *Provided*, that no such member shall be removed without ten days' notice in writing and an opportunity to be heard at a public session of said Board of County Commissioners.

SEC. 4. That said Tax Commission shall annually, at its first meeting after the taking office of new members, designate its own chairman and secretary; and shall fill all vacancies in said offices for the unexpired terms: *Provided*, that this shall not be construed as authorizing said Tax Commission to appoint new members to said Commission.

SEC. 5. That members of said Tax Commission shall receive such compensation as may be prescribed by the Board of County Commissioners, and said Board of County Commissioners shall have authority, in its discretion to fix a greater compensation for the chairman and secretary of said Tax Commission than for the other members thereof.

SEC. 6. That each member of said Tax Commission shall, as

a prerequisite to entering upon the duties of his office, take an oath of office, subscribed and sworn to before the Clerk of Superior Court and filed in the office of said Clerk, in substantially the following form:

"I, _____, do solemnly swear (or affirm) that I will faithfully discharge the duties imposed upon me by law as a Tax Commissioner for Catawba County; and that I will not allow my official acts to be influenced by personal friendships or political considerations. So help me, God.
 _____" (Signature).

Form of oath.

SEC. 7. That said Tax Commission shall annually, during the week including the first Monday of the month preceding the tax-listing day, appoint a Tax Supervisor for Catawba County; and shall fill any vacancy occurring in said office for the unexpired term. Said Supervisor shall devote his entire time to his duties as Supervisor and shall be paid such compensation as may be fixed by the Board of County Commissioners, but not less than eighteen hundred (\$1800.00) dollars per year plus actual, necessary traveling expenses.

Appointment of
Tax Supervisor,
Catawba County.

Full time services.

Compensation.

SEC. 8. That township list takers and assessors, as provided by general law, shall be appointed by the Supervisor, subject to the approval of said Tax Commission, and shall be paid such compensation as the Board of County Commissioners may prescribe, which shall not be less than three (\$3.00) dollars per day and necessary traveling expenses. The number of days for which each list taker is to be paid shall be determined by said Tax Commission.

Appointment of
township list
takers and
assessors.

Compensation.

SEC. 9. That said Tax Commission shall have and exercise all powers and duties conferred by the Machinery Act or other general laws of this State, with reference to the listing and assessing of property, polls and dogs for taxation, upon Boards of County Commissioners and County Boards of Equalization and Review; and said Tax Commission shall, with respect to such powers and duties in Catawba County, act in lieu of said Board of County Commissioners and said County Board of Equalization and Review. Appeals from the decisions of said Tax Commission shall be taken in the manner provided by law for appeals from Boards of County Commissioners and County Boards of Equalization and Review.

Powers and duties
of Tax Com-
mission.

Appeals from
decisions of
Commission.

SEC. 10. That said Tax Commission shall have general supervision of the listing, assessing and discovery of property, polls and dogs for taxation in Catawba County; shall supervise the work of the Tax Supervisor, the list takers and assessors, making such rules and regulations for the conduct of such work as it may deem necessary or advisable; shall have authority to employ experts to assist in the valuation of specific types of property in the same manner as may be allowed by general law to Boards of County Commissioners or County Boards of Equalization and Review; shall supervise the preparation of tax records, receipts and stubs; shall have authority to employ such

Further powers and
duties enumerated.

Exercise of other powers not prevented.

Tax Commission given no power to fix tax rates or to levy taxes.

Taxes levied by County Commissioners.

Office facilities for Commission and Supervisor.

Tax officials, powers and duties.

Tentative budget by Tax Commission.

Final budget, fixed by Tax Commission and County Commissioners.

Joint action necessary for change.

Funds provided by taxation.

Listing and assessing.

Repeal or amendment only by specific reference hereto.

assistance and purchase such supplies as may be necessary to carry out its functions and the functions under its supervision; shall have authority to appraise properties, with or without the assistance of the supervisor and assessors; and shall have such other powers as may be necessary for the proper performance of its duties. The enumeration of certain powers herein shall not be construed to prevent the exercise of other powers which may be necessary or proper to the performance of the Commission's duties.

Nothing in this Act shall be construed as conferring upon said Tax Commission the power to fix tax rates or to levy taxes. To that end, said Tax Commission shall supervise the discovery, listing and assessment of unlisted property, polls and dogs, and the Board of County Commissioners shall levy the taxes thereon either by general resolution adopted annually or by special resolution at the first regular meeting following the discovery, listing and assessment of such property, polls and dogs.

SEC. 11. That the Board of County Commissioners shall provide adequate office facilities for the work of said Tax Commission, the work of said Tax Supervisor, and the work of preparing tax records, receipts and stubs.

SEC. 12. That the Tax Supervisor, list takers and assessors shall have all powers and duties conferred by law upon similar officials in other counties.

SEC. 13. That said Tax Commission shall annually, at such time as it may be requested by said Board of County Commissioners, submit a tentative budget covering the cost of its functions and the functions placed under its supervision. The final budget for such functions shall be agreed upon at a joint meeting of said County Commissioners and said Tax Commission, and, with respect to all matters on controversy, each member of said Tax Commission present and each County Commissioner present shall have one vote. In case of a tie, the Chairman of the Board of County Commissioners shall have an additional vote. When said budget has been so fixed, it shall not be changed except by action of a similar joint meeting; and it shall be the duty of said Board of County Commissioners to provide the funds, by taxation, or otherwise, with which to meet the expenditures provided in said budget.

SEC. 14. That except as herein provided, the listing and assessing of property, polls and dogs in Catawba County shall be as provided by general law; but as to all matters in which this Act may be in conflict with general law, it is the intention of the Legislature that this Act shall govern, whether such general laws have or may be ratified before or after ratification of this Act. No statute hereafter ratified, whether Public, Public-Local or Private, shall repeal or amend this Act or any part thereof unless said repeal or amendment is effected by specific reference hereto.

SEC. 15. Nothing in this Act shall be construed as extending

the time for the assessment or collection of taxes within the meaning of section twenty-nine of Article II of the Constitution of this State.

Construction of Act.

SEC. 16. All laws and clauses of laws in conflict with this Act are, to the extent of such conflict and in so far as they apply to Catawba County, hereby repealed.

Conflicting laws repealed.

SEC. 17. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of February, A.D. 1937.

H. B. 227

CHAPTER 76

AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF BRUNSWICK COUNTY AND THE CITY COMMISSIONERS OF THE CITY OF SOUTHPORT, NORTH CAROLINA, TO MAKE ADJUSTMENTS WITH DELINQUENT TAXPAYERS.

The General Assembly of North Carolina do enact:

SECTION 1. That the County Commissioners of Brunswick County and the City Commissioners of the City of Southport, North Carolina, are hereby authorized and empowered to make such tax adjustments with the taxpayers of the said County and the said City whose taxes are unpaid for the year one thousand nine hundred and thirty-three and all years prior thereto, as in their discretion may be for the best interests of both the said County and the said City and the taxpayers.

Commissioners of Brunswick County, and of Southport, authorized to adjust taxes, 1933 and prior years.

SEC. 2. That all such adjustments shall be made within one year from the ratification of this Act.

Adjustments within one year.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of February, A.D. 1937.

H. B. 232

CHAPTER 77

AN ACT EXTENDING THE TIME FOR THE ISSUANCE OF REFUNDING AND FUNDING BONDS OF THE TOWN OF ELKIN AND AMENDING CHAPTER TWO HUNDRED FIFTY-EIGHT, PRIVATE LAWS, ONE THOUSAND NINE HUNDRED THIRTY-FIVE.

The General Assembly of North Carolina do enact:

SECTION 1. Notwithstanding the provisions of section two thousand nine hundred fifty, Consolidated Statutes, being a part

Town of Elkin authorized to issue bonds provided by Ch. 67, Private Laws, 1935, within 3 years.

Sec. 1, Ch. 258, Private Laws, 1935, amended.

Elkin authorized to accept own bonds for 1934 and prior taxes.

Sec. 2, Ch. 258, Private Laws, 1935, repealed.

Conflicting laws repealed.

of the Municipal Finance Act, the Refunding and Funding Bonds of the Town of Elkin authorized by ordinances adopted by the Board of Commissioners of said town on January twenty-fifth, one thousand nine hundred thirty-five, which bonds were validated and authorized by chapter sixty-seven, Private Laws, one thousand nine hundred thirty-five, may be issued at any time within three years after the ratification of this Act.

SEC. 2. That section one, of chapter two hundred fifty-eight, Private Laws, one thousand nine hundred thirty-five, be, and the same is hereby amended to read as follows:

"SECTION 1. That the Town of Elkin, a municipal corporation in Surry County, North Carolina, is hereby authorized to accept its own bonds in payment of taxes levied for the fiscal year one thousand nine hundred thirty-three and thirty-four and prior years, and in the payment of street assessments which have heretofore become delinquent or due prior to February first, one thousand nine hundred thirty-seven."

SEC. 3. That section two of said chapter two hundred fifty-eight be, and the same is hereby repealed.

SEC. 4. That all laws and clauses of laws inconsistent with this Act be and the same are hereby repealed.

SEC. 5. That this Act shall be in full force from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of February, A.D. 1937.

H. B. 322

CHAPTER 78

AN ACT TO AMEND CHAPTER ONE HUNDRED FORTY-ONE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-FIVE ENTITLED, "AN ACT TO CREATE THE OFFICE OF PURCHASING AGENT, TAX SUPERVISOR, AND BOOKKEEPER FOR SURRY COUNTY," AND CHAPTER FOUR HUNDRED TWENTY-THREE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE ENTITLED "AN ACT TO CREATE THE OFFICE OF TAX COLLECTOR FOR SURRY COUNTY, AND TO PROVIDE FOR THE COLLECTION OF COUNTY TAXES, AND OTHER TAXES AND LEVIES NOW AND HERETOFORE DEVOLVING UPON THE SHERIFF OF SURRY COUNTY."

The General Assembly of North Carolina do enact:

Ch. 141, Public-Local Laws, 1925, Ch. 423, Public-Local Laws, 1935, amended.

SECTION 1. That in addition to the powers and duties imposed and conferred upon the office of purchasing agent, tax supervisor and bookkeeper for Surry County as provided in chapter one hundred forty-one of the Public-Local Laws of the

session of one thousand nine hundred twenty-five, all the powers, duties and obligations set forth and provided for in chapter four hundred twenty-three of the Public-Local Laws of the session of one thousand nine hundred thirty-five entitled "An Act to create the office of tax collector for Surry County" etc., shall devolve upon and become the duties and powers of the office of purchasing agent, tax supervisor and bookkeeper for Surry County.

Additional powers, duties provided for office of purchasing agent, etc. Surry County.

SEC. 2. That the official provided for in said chapter one hundred forty-one, Public-Local Laws of one thousand nine hundred twenty-five shall appoint a tax collector for said County of Surry with an office in the Town of Mt. Airy, North Carolina, for the collection and receipt of taxes, especially for the following townships: Mt. Airy, Stuarts Creek, Long Hill, Pilot Mountain and Westfield, and a tax collector for said County of Surry with an office in the Town of Elkin, North Carolina, for the collection and receipt of taxes, especially in the following townships: Elkin, Bryan and Marsh. The appointment of collectors at Mt. Airy, North Carolina and Elkin, North Carolina, to be made only upon the approval and with the consent of the Board of County Commissioners of said County. That in addition to the appointment of the collectors provided for at Mt. Airy, North Carolina, and Elkin, North Carolina, the said County Commissioners may appoint such other collectors, at such salary and for such period of time, as may be deemed necessary by said Board, and such appointees, if any, shall furnish surety bond or bonds in an amount fixed by said tax supervisor with the approval of said Commissioners.

Tax Collector with office at Mt. Airy provided for.

Tax Collector with office at Elkin.

Collectors appointed with consent of County Commissioners.

Additional collectors authorized.

SEC. 3. That the collector appointed for the office at Mt. Airy shall be paid by the County of Surry the sum of twelve hundred dollars (\$1200.00), payable in monthly installments; that the collector appointed for the office at Elkin shall be paid by said County of Surry the sum of eight hundred dollars (\$800.00), payable in monthly installments.

Salaries of Collectors at Mt. Airy and Elkin.

SEC. 4. That the collector at Mt. Airy, North Carolina, shall furnish bond in the sum of ten thousand dollars (\$10,000.00), conditioned upon the faithful performance of his duties as such collector; that the collector at Elkin shall furnish bond in the sum of five thousand dollars (\$5,000.00), conditioned upon his faithful performance of his duties as collector. That the official performing the duties of tax supervisor, purchasing agent and bookkeeper, shall furnish bond in the sum of twenty-five thousand dollars (\$25,000.00), twenty thousand dollars (\$20,000.00) as tax supervisor, and five thousand dollars (\$5,000.00) for the faithful performance of the other duties of his office.

Bonds required.

SEC. 5. That for the increased duties and responsibilities of the tax supervisor, purchasing agent and bookkeeper, such official shall receive, and the County of Surry shall pay the sum of twelve hundred dollars (\$1200.00) annually, and an allowance of two hundred dollars (\$200.00) in lieu of mileage as

Ch. 141, Public-Local Laws, 1925, amended to increase salary of tax supervisor, purchasing agent, etc.

heretofore provided; that such salary and allowance shall be in addition to the salary now being and heretofore paid said official under the provisions of said chapter one hundred forty-one of the Public-Local Laws of one thousand nine hundred twenty-five and the amendments thereto.

Conflicting laws
repealed

SEC. 6. That all laws and clauses of laws in conflict with this Act, to the extent of such conflict, are hereby repealed, but all Acts amended by this Act and not inconsistent herewith shall remain in full force and effect.

SEC. 7. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of February, A.D. 1937.

H. B. 267

CHAPTER 79

AN ACT TO REPEAL CHAPTER TWO HUNDRED AND FOURTEEN, PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-ONE, RELATIVE TO THE BOARD OF CEMETERY COMMISSIONERS FOR THE TOWN OF DUNN.

The General Assembly of North Carolina do enact:

Ch. 214, Private
Laws, 1921,
repealed.

SECTION 1. That chapter two hundred and fourteen of the Private Laws of one thousand nine hundred and twenty-one is hereby repealed.

Title to moneys, etc.
held by Dunn Ceme-
tery Commissioners
vested in Board of
Town Commission-
ers of Dunn.

SEC. 2. That immediately upon ratification of this Act the title to any and all monies, securities, and/or land heretofore held in trust by the Board of Cemetery Commissioners of the Town of Dunn for cemetery purposes for the Town of Dunn shall be vested in the Board of Commissioners of the Town of Dunn; and the said board shall also have authority to purchase or otherwise acquire other lands for cemetery purposes as the need therefor shall arise; and it shall have and exercise exclusive control and management over all such lands for cemetery purposes.

Acquisition of
other lands
authorized.

City Clerk of Dunn
given duties with
respect to affairs
of cemetery.

SEC. 3. The City Clerk of the Town of Dunn shall be, ex officio, secretary of the board for recording and keeping the records connected with all transactions having to do with the sale of cemetery lots, or the making of service charges for the upkeep of the same, or for any and all other matters relating to the business of the cemetery. The secretary shall make a monthly report to the Board of Commissioners of the Town of Dunn of all income and disbursements connected with the management of cemetery property; and it shall be the further duty of the secretary to the board to countersign all vouchers and checks authorized by said board.

SEC. 4. It shall be the duty of the Board of Commissioners of the Town of Dunn to make and promulgate such rules and regulations for the proper management of the cemetery consistent with the laws of North Carolina; and to employ a superintendent of the cemetery and define his duties, and fix his salary; and to employ all other necessary help for the proper upkeep and protection of cemetery property; and such employees shall hold such employment at the pleasure of the said Board.

Town Commissioners directed to make regulations for cemetery management.

Superintendent.

Other necessary help.

SEC. 5. The Board shall have power to fix the prices at which cemetery lots may be sold from time to time, to fix charges for the perpetual upkeep of lots sold, to fix the price for the digging of graves, and for all other services to be rendered owners of cemetery lots.

Board authorized to fix prices for sale of lots, etc.

SEC. 6. All real estate owned or purchased for cemetery purposes and also any monies or securities in which said fund may be invested for cemetery purposes shall be exempt from taxation.

Properties exempt from taxation.

SEC. 7. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 8. This Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of February, A.D. 1937.

H. B. 272

CHAPTER 80

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF ALEXANDER COUNTY, IN THEIR DISCRETION, TO AUTHORIZE THE SHERIFF OF ALEXANDER COUNTY TO EMPLOY TWO DEPUTY SHERIFFS AND TO PRESCRIBE THEIR COMPENSATION.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Alexander County may, in their discretion, authorize and empower the Sheriff of Alexander County, to employ two deputy sheriffs who shall be paid a salary of not exceeding twenty-five dollars per month and they shall also be allowed all fees now allowed by law.

Commissioners, Alexander County, authorized to empower Sheriff to employ deputies on salary plus fees.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of February, A.D. 1937.

S. B. 57

CHAPTER 81

AN ACT TO PROVIDE FOR THE ELECTION OF THE AUDITOR OF PENDER COUNTY.

The General Assembly of North Carolina do enact:

Election of Auditor,
Pender County.

SECTION 1. That at the next election to be held in Pender County in one thousand nine hundred and thirty-eight for the election of county officers, and biennially thereafter, there shall be elected a county auditor, who shall take office on the first Monday in December, one thousand nine hundred and thirty-eight, and who shall serve for a period of two years or until his successor is elected and qualified.

Term of office.

Salary.

SEC. 2. That the auditor of Pender County shall receive for his services the sum of one thousand eight hundred dollars (\$1,800.00) per annum, to be paid in equal monthly installments. One thousand two hundred and fifty dollars (\$1,250.00) of which salary shall be charged to the general county fund of Pender County and shall be paid out of such general fund, and the balance thereof shall be charged to the school fund of said county and paid by the Board of Education of said county.

Paid in part from
general fund.

Balance paid from
school fund.

Conflicting laws
repealed.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 17th day of February, A.D. 1937.

S. B. 80

CHAPTER 82

AN ACT CREATING FIVE DISTRICTS IN NORTHAMPTON COUNTY FOR THE NOMINATION AND ELECTION OF THE COUNTY COMMISSIONERS OF SAID COUNTY.

The General Assembly of North Carolina do enact:

Northampton County
divided into 5
districts.

Districts described.

SECTION 1. That Northampton County shall be and the same is hereby divided into five districts as follows, to-wit:

(a) Kirby Township shall constitute *District Number One*; (b) Rich Square Township shall constitute *District Number Two*; (c) Roanoke and Jackson Townships shall constitute *District Number Three*; (d) Seaboard and Wiccacanee Townships shall constitute *District Number Four*; (e) Occaneechee, Pleasant Hill and Gaston Townships shall constitute *District Number Five*.

Board of Commissioners of 5
members.

SEC. 2. The Board of Commissioners of Northampton County shall consist of five members.

SEC. 3. That in the next primary to be held in one thousand

nine hundred thirty-eight and biennially thereafter there shall be nominated one member of said Board of Commissioners from each of the five districts hereby created.

Commissioner nominated from each district.

SEC. 4. That in the next election and biennially thereafter there shall be elected under the same rules and regulations governing the election of other county officials five commissioners, one from each district.

Election of one Commissioner from each district.

SEC. 5. That the candidates in the primary from each respective district shall be voted for by all the qualified voters of Northampton County, and the candidate from each respective district who shall receive a majority of votes cast in such primary shall be declared to be the nominee of his party, duly nominated as the candidate from said district for the general election, and said candidates shall be voted for in the general election by all of the qualified voters of said Northampton County.

Selection of district nominees by majority of voters of entire County.

SEC. 6. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 7. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 17th day of February, A.D. 1937.

S. B. 146

CHAPTER 83

AN ACT TO AMEND THE ACT ENTITLED "AN ACT TO CREATE A SINKING FUND COMMISSION FOR BUNCOMBE COUNTY AND CERTAIN BODIES POLITIC AND MUNICIPAL CORPORATIONS THEREIN, AND TO DEFINE THE POWERS AND DUTIES THEREOF," RATIFIED BY THE GENERAL ASSEMBLY OF NORTH CAROLINA JANUARY EIGHTEENTH, ONE THOUSAND NINE HUNDRED THIRTY-SEVEN.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of the Act entitled "An Act to create a Sinking Fund Commission for Buncombe County and certain bodies politic and municipal corporations therein, and to define the powers and duties thereof," ratified by the General Assembly of North Carolina the eighteenth day of January, one thousand nine hundred and thirty-seven, be, and the same is hereby, amended by striking out the name "Francis J. Hazel" wherever the same appears therein and inserting in lieu thereof the name "Francis J. Heazel," and by striking out the name "T. J. Johnson" wherever the same appears therein and inserting in lieu thereof the name "John T. Johnson."

Ch. 4, Public-Local Laws, 1937, S. B. No. 9, amended.

Francis J. Heazel and John T. Johnson named to Sinking Fund Commission, Buncombe County.

SEC. 2. That section six of said Act be amended by striking out the words "and the vote of a majority of members present

Ch. 4, Public-
Local Laws,
1937, amended to
require vote of 3
members present for
valid action by
Commission.

Proceedings by
Commission
validated.

at any duly constituted meeting shall be valid and binding" and inserting in lieu thereof the following: "but the affirmative vote of at least three members present at any duly constituted meeting shall be necessary to be valid and binding and constitute the act of the Commission."

SEC. 3. That all acts and proceedings done and had by the Sinking Fund Commission for Buncombe County wherein Francis J. Heazel and John T. Johnson have participated as members of said Commission, are hereby ratified, confirmed and approved.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 17th day of February, A.D. 1937.

H. B. 16

CHAPTER 84

AN ACT RELATING TO THE FEES OF THE SHERIFF OF CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

Schedule of fees for
Sheriff, Cherokee
County.

SECTION 1. That the Sheriff of Cherokee County shall be allowed the following fees and expenses for executing writs, process and orders of the court, and collection of taxes, and no others:

Arrest, etc., in civil
action.

(a) For arrest of a defendant in a civil action and taking bail, including justification of sureties, and all services connected therewith, two dollars.

Arrest, etc., where
person indicted.

(b) For arrest of a person indicted, including all services in connection therewith and taking and justification of bail, two dollars.

Subpoena.

(c) For serving subpoena on a witness in either civil or criminal case, fifty cents.

Mileage allowance.

(d) For service of civil summons or subpoena on witness in civil or criminal case and for serving criminal warrant within Cherokee County the sheriff shall be allowed mileage at the rate of two and one-half cents per mile for each mile actually traveled; *Provided*, that the said sheriff before he shall be entitled to receive and demand said mileage from either plaintiff or defendant in a civil case, or to have same taxed in a criminal case, shall file in the pending cause an itemized statement duly verified under oath before Clerk of the Superior Court of Cherokee County showing in detail the place from which he started to serve such process, the point at which he served same, the mileage to said point by the nearest traveled route, the speedometer reading of his automobile at the time and place from which he started and at the place where said subpoena was served, the hour at which he started out to serve such process, the hour at which same was served and the hour at which he returned to

Itemized statement
of mileage, etc.,
required.

the point from which he started; *Provided further*, that in any case where there is process to be served upon more than one person in the same community that he shall serve all process and shall only be permitted to charge mileage one time for serving the most distant person, and shall not in any event be permitted to charge mileage for serving the remainder of such defendants or witnesses, whether in a civil or criminal case; and *Provided further*, that in all cases where subpoenas are issued and placed in his hands for service as much as one week prior to any criminal term of court and as much as ten days prior to the date on which any civil case is calendared for trial, that the mileage here provided shall not be allowed from the county seat but only from the place of residence of the nearest Deputy Sheriff in Cherokee County to the home or place of work of such defendant or witness.

(e) For allotment of widow's year's allowance, one dollar.

(f) For conveying prisoner to State Prison, five cents per mile each way and one dollar per day and actual necessary expense for each guard, not, however, to exceed one guard for every three prisoners.

(g) For summoning a grand or petit jury, for each man summoned fifty cents, and twenty cents for each person summoned on a special venire; *Provided*, that this increase in fees shall only be effective where such juror is personally served by the sheriff and notice of summons actually placed in the hands of the juror; and *Provided further*, that no mileage shall be allowed for summoning jurors.

(h) For producing prisoner on habeas corpus to testify or answer before any court or judge, one dollar and a half and all necessary expense for such service, including five cents per mile for each mile traveled by the nearest traveled route and one dollar per day and necessary expenses for same for not to exceed one guard.

(i) For summoning and qualifying appraisers and performing all duties in laying off homestead and personal property exemptions, or either, three dollars.

(j) For levying of attachment, one dollar.

(k) For attendance to qualify jurors to lay off dower, or commissioners to lay off year's allowance, two dollars; and for attendance to qualify commissioners for any other purpose, one dollar and a half.

(l) For executing deed for land or any interest in land sold under execution, two dollars.

(m) For executing writ of possession or ejectment, three dollars.

(n) For every execution in a civil case, one dollar and a half.

(o) For each tax sale, one dollar.

(p) For collecting taxes the sheriff shall be allowed four per centum on the first fifty thousand dollars of taxes collected and

Where several processes served, mileage charged for most distant person only.

Mileage allowed from residence of nearest deputy sheriff only in certain cases.

Allotment of widow's allowance.

Conveying prisoners to State Prison.

Summoning grand or petit jury.

No mileage allowance.

Producing prisoner on habeas corpus.

Summoning appraisers, laying off homesteads, etc.

Levying attachment.

Attendance to qualify jurors, etc., in dower proceeding.

Deeds under execution.

Executing writ of ejectment, etc.

Civil executions.

Tax sale.

Collecting taxes.

two and one half per centum on any amount in excess of fifty thousand dollars.

Conflicting laws
repealed.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 3. That this Act shall be in force and effect from and after the date of its ratification.

In the General Assembly read three times and ratified, this the 17th day of February, A.D. 1937.

H. B. 159

CHAPTER 85

AN ACT TO RE-ENACT CHAPTER TWO HUNDRED AND ONE OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE RELATING TO THE ISSUE OF BONDS BY THE TOWN OF LINCOLNTON, SAME BEING "AN ACT TO AUTHORIZE THE BOARD OF ALDERMEN OF THE TOWN OF LINCOLNTON TO ISSUE BONDS TO PAY ITS INDEBTEDNESS."

Preamble: Ch. 201,
Private Laws, 1935,
not validly enacted.

Whereas, chapter two hundred and one of the Private Laws of nineteen hundred and thirty-five, relating to the issue of bonds by the Town of Lincolnton was enacted without observing the formalities required by section fourteen of article two of the Constitution; *Now, therefore*,

The General Assembly of North Carolina do enact:

Ch. 201, Private
Laws, 1935, au-
thorizing Aldermen,
Town of Lincolnton,
to issue bonds,
re-enacted.

SECTION 1. That said chapter two hundred and one of the Private Laws of one thousand nine hundred thirty-five, be, and the same is hereby re-enacted in its entirety.

Conflicting laws
repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 17th day of February, A.D. 1937.

H. B. 314

CHAPTER 86

AN ACT TO AUTHORIZE AND EMPOWER THE COUNTY COMMISSIONERS OF CURRITUCK COUNTY TO APPOINT AN ASSISTANT TRIAL JUSTICE FOR RECORDER'S COURT OF SAID COUNTY.

Preamble: Trial Jus-
tice of Recorder's
Court, Currituck
County, temporarily
incapacitated.

Whereas, J. W. Sanderlin, Trial Justice of the Recorder's Court of Currituck County, on account of ill health, has been unable for the past several weeks to preside over said court; and

Whereas, The Board of Commissioners of Currituck County desire to appoint an assistant trial justice to preside over said court in the absence of the regular justice, Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Currituck County be, and it is hereby authorized and empowered to appoint an assistant trial justice to preside over the Recorder's Court of said county in the absence of the regular trial justice.

SEC. 2. That said assistant trial justice shall have the same jurisdiction, power, and authority in presiding over said court and deciding any matters coming before him as now exercised by the regular trial justice, and shall serve during the term of the present regular trial justice.

SEC. 3. That the assistant trial justice of said court shall receive the same compensation for his services as the regular trial justice.

SEC. 4. That all acts of J. A. Summerell who is now serving as assistant trial justice by appointment of the Board of County Commissioners, be, and the same are hereby validated.

SEC. 5. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 6. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 17th day of February, A.D. 1937.

Appointment of assistant justice desired.

Appointment of assistant trial justice, Recorder's Court, Currituck County, authorized.

Powers.

Term of office.

Compensation.

Acts of J. A. Summerell, as assistant trial justice, validated.

Conflicting laws repealed.

S. B. 94

CHAPTER 87

AN ACT AMENDING THE CHARTER OF THE TOWN OF FOREST CITY, RUTHERFORD COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That section seventeen of chapter two of the Private Laws of nineteen hundred and twenty-five be, and the same is hereby amended, by adding after paragraph eleven of said section the following:

"All claims or demands against the town of Forest City arising in tort shall be presented to the Board of Aldermen of said town in writing, signed by the claimant or his legal representative, within ninety (90) days after said claim or demand is due or the cause of action accrues; that no suit or action shall be brought thereon within ten days from the time said claim is so presented, nor after the expiration of twelve (12) months from the time said claim or demand is due, and unless the claim is so presented within ninety (90) days and suit brought thereon within twelve (12) months after the cause of action accrued, any action thereon shall be barred."

Ch. 2, Private Laws, 1925,

Tort claims against Town of Forest City.

Time for filing.

No suit within 10 days from filing, nor after 12 months after claim arises.

Action barred by non-compliance with provisions.

Conflicting laws repealed.

SEC. 2. That all laws or clauses of laws in conflict with this Act are hereby repealed.

SEC. 3. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of February, A.D. 1937.

S. B. 95

CHAPTER 88

AN ACT TO EMPOWER THE GOVERNING BODY OF THE TOWN OF FOREST CITY, RUTHERFORD COUNTY, TO RELIEVE CHURCHES OF PAVING ASSESSMENTS.

The General Assembly of North Carolina do enact:

Church property in Forest City relieved of paving assessments.

SECTION 1. That all real estate now owned, or which may be hereafter acquired by any of the churches of the Town of Forest City, and used for church or parsonage purposes shall be relieved of all public assessments for street or sidewalk paving already done and from future assessments.

Property not used for church or parsonage purposes liable for assessments.

SEC. 2. That when any of such property shall no longer be owned and used by any of said churches for church or parsonage purposes, during the period for levying and collecting paving assessments, the same shall immediately become liable for the unpaid paving assessments as may appear on the Assessments Roll of said town.

Conflicting laws repealed.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of February, A.D. 1937.

H. B. 150

CHAPTER 89

AN ACT TO AMEND CHAPTER SIX HUNDRED AND THIRTEEN OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTEEN RELATING TO THE RECORDER'S COURT OF MOORESVILLE, IREDELL COUNTY.

The General Assembly of North Carolina do enact:

Ch. 613, Public-Local Laws, 1913, amended.

SECTION 1. That chapter six hundred and thirteen of the Public-Local Laws of one thousand nine hundred and thirteen be amended by adding at the end of section ten the following: "The policemen of Mooresville shall have the same authority to make arrests and to execute criminal process within the territory in which the Recorder's Court of Mooresville has jurisdiction as is vested by law in a sheriff."

Authority of police of Mooresville extended over territorial jurisdiction, Mooresville Recorder's Court.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of February, A.D. 1937.

H. B. 153

CHAPTER 90

AN ACT TO VALIDATE SALES OF LAND FOR TAXES IN CLEVELAND COUNTY AND EXTEND THE TIME FOR FORECLOSURE PROCEEDINGS.

The General Assembly of North Carolina do enact:

SECTION 1. That all sales of land in Cleveland County for failure to pay taxes, held or conducted by the sheriff of Cleveland County, or the tax collector of any city, town or municipality in said county during the year one thousand nine hundred and thirty-six, on any day other than as provided by law for tax sales, be, and the same are hereby approved, confirmed, validated and declared to be of the same legal effect as if said sale had been held on such day as the law may have provided; and all certificates of sale made and issued upon and in accordance with such sale, be, and they are hereby approved and validated to all intents and purposes, and said certificates shall be of the same force and legal effect as if said sale had been held on such day or days as the law may have provided.

Tax Sales, Cleveland County, held during 1936, validated.

Certificates of sale validated.

SEC. 2. That all actions and proceedings for the foreclosure of tax certificates purchased by the County of Cleveland, or any of its municipalities, heretofore commenced by the issuance of summons or otherwise, are declared to be pending; and it is further provided that alias summons may issue in every case where service has not been actually obtained, and that additional parties may be made in all such actions now pending, in order that all lien holders and other necessary and proper persons may be made parties to the proceeding.

Certain tax foreclosure actions, declared to be pending.

Alias summons authorized.

Additional parties.

SEC. 3. That the time for bringing foreclosure proceedings by the County of Cleveland, or any of its municipalities, on tax sales certificates for the years one thousand nine hundred and thirty, one thousand nine hundred and thirty-one, one thousand nine hundred and thirty-two, one thousand nine hundred and thirty-three, and one thousand nine hundred and thirty-four, is hereby extended until January first, one thousand nine hundred and thirty-nine, within which time actions may be brought to foreclose said certificates and no Statute of Limitations shall

Time for tax foreclosures for 1930-1934, inclusive, extended until Jan. 1, 1939.

Conflicting laws
repealed.

bar the right to foreclose, if said action be brought prior to January first, one thousand nine hundred and thirty-nine.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 18th day of February, A.D. 1937.

H. B. 155

CHAPTER 91

AN ACT TO AID IN THE COLLECTION OF DELINQUENT TAXES IN HENDERSON COUNTY.

The General Assembly of North Carolina do enact:

Adjustment of de-
linquent taxes where
property listed at
excessive valuation
authorized, Hen-
derson County.

SECTION 1. That when it shall appear to the satisfaction of the Board of Commissioners of Henderson County that any real or personal property has been listed for taxes at an excessive valuation and on which there is outstanding delinquent taxes, the said board is hereby authorized and empowered to make such reduction of settlement with the taxpayer or other interested party for the taxes due Henderson County on said property as in their judgment is fair and just and will best subserve the interest of the county. All such taxes shall be payable in cash only, and no reduction shall be made unless the taxpayer at the time of such reduction is in position to, and does pay, the amount fixed by the commissioners as fair and just. When said money is paid the tax collector shall issue to the taxpayer or other interested party a receipt which shall be in full settlement of all taxes due by such taxpayer for the year or years on which such taxes are applicable.

Adjusted taxes
payable in cash only.

Full settlement
receipt.

Commissioners au-
thorized to employ
person to aid in
tax collecting.

Salary of com-
missions.

SEC. 2. The Board of Commissioners may, if they deem it advisable, employ some suitable person to aid in the collection of said taxes at a salary not exceeding one hundred (\$100) dollars per month, or in lieu of salary, may pay a reasonable commission on taxes collected, but such commission shall not exceed one hundred (\$100) dollars per month.

Act applies also to
Town of Laurel
Park.

SEC. 3. That the provisions of this Act shall also apply to the Town of Laurel Park, a municipal corporation in Henderson County.

Act inoperative
after two years.

SEC. 4. That the provisions of this Act shall become void and inoperative at the expiration of two years from the date of the ratification of this Act.

Conflicting laws
repealed.

SEC. 5. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 6. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 18th day of February, A.D. 1937.

H. B. 182

CHAPTER 92

AN ACT AUTHORIZING THE BOARD OF COMMISSIONERS OF THE TOWN OF WINDSOR TO REMIT INTEREST AND PENALTIES ON UNCOLLECTED PAVING ASSESSMENTS AND UNCOLLECTED TAXES DUE TO THE TOWN OF WINDSOR FOR THE YEAR ONE THOUSAND NINE HUNDRED THIRTY-THREE AND PRIOR YEARS.

The General Assembly of North Carolina do enact:

SECTION 1. *That whereas*, under chapter eighty-five of the Public-Local Laws of one thousand nine hundred thirty-five, the Board of Commissioners of the Town of Windsor was authorized to accept bonds of the Town of Windsor in the payment of paving assessments and taxes for the years one thousand nine hundred thirty-two and prior years; *and whereas*, the same resulted in the collection of more than one-half of the delinquent taxes and paving assessments due to the Town of Windsor; *and whereas*, most of the bonds used for the payment of the same were purchased at the price of approximately sixty-five per cent (65%) of the par value of said bonds; *and whereas*, the bonds of the Town of Windsor are now selling at par value and the tax payers are no longer able to effect a saving by paying taxes and paving assessments with bonds of the town and it is the desire of the governing board of the Town of Windsor, to remit interest on paving assessments and interest and penalties on delinquent taxes for one thousand nine hundred thirty-three and prior years in order to induce an early settlement of the same.

SEC. 2. That the Board of Commissioners of the Town of Windsor be, and it is hereby authorized, and empowered, to remit interest on paving assessments due to the Town of Windsor; and to remit interest and penalties on taxes for the year one thousand nine hundred thirty-three and all prior years.

SEC. 3. That all laws in conflict with this Act be, and the same are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 18th day of February, A.D. 1937.

Preamble: Commissioners, Town of Windsor, authorized to accept Town bonds for taxes and assessments, 1932 and prior years.

More than half delinquent taxes, etc. collected.

Bonds used for payment purchased at 65% par.

Bonds now at par.

Authority to remit interest, etc., on 1933 and prior taxes, etc., to induce settlement, desired.

Commissioners of Town of Windsor, authorized to remit interest, etc., on 1933 and prior taxes and assessments.

Conflicting laws repealed.

H. B. 187

CHAPTER 93

AN ACT TO VALIDATE CERTAIN SALES OF LAND FOR TAXES AND CERTIFICATES ISSUED IN PURSUANCE THEREOF, AND TO VALIDATE FORECLOSURE PROCEEDINGS INSTITUTED UPON CERTIFICATES OF SALE, AND TO AUTHORIZE EXTENSION OF FORECLOSURE PROCEEDINGS IN MOORE COUNTY.

The General Assembly of North Carolina do enact:

Tax sales in Moore County in 1936, by County or municipality therein, validated.

Certificates of sale validated.

Certain foreclosure actions validated.

In tax foreclosure actions pending, Moore County, plaintiff allowed 12 months to add necessary parties.

Partial invalidity clause.

Applies only to Moore County. Conflicting laws repealed.

SECTION 1. That all sales of land for failure to pay taxes held or conducted by the sheriff or tax collector of Moore County, or any city, town or other municipality in said Moore County during the year nineteen hundred thirty-six, on any date subsequent to or other than the date prescribed by law, and all certificates of sales executed and issued pursuant to and in accordance with such sales, be, and the same are, hereby approved, confirmed and validated, and shall have the same force and legal effect as if said sales had been held and conducted on the date prescribed by law.

SEC. 2. That all actions instituted in any county, city, town or other municipality in Moore County for the foreclosure of certificates of sales issued for taxes of the years nineteen hundred twenty-seven, nineteen hundred twenty-eight, nineteen hundred twenty-nine, nineteen hundred thirty, nineteen hundred thirty-one, nineteen hundred thirty-two and nineteen hundred thirty-three, subsequent to October first, nineteen hundred thirty-four, and all such actions instituted before December first, nineteen hundred thirty-six shall be, and the same are, hereby approved and declared to be legally binding and of the same force and effect as if said actions were instituted prior to October first, nineteen hundred thirty-four.

SEC. 3. That in all tax foreclosure actions now pending in Moore County, in which no deed of conveyance has heretofore been made to the purchaser, the plaintiff in all such actions shall have twelve months from and after the ratification of this Act to bring into the suit or action all necessary parties by motion in the cause and by service of process as is now required by law.

SEC. 4. That if any part of this Act shall be held unconstitutional, such unconstitutionality shall not affect the remainder of this Act.

SEC. 5. That this Act shall apply only to Moore County.

SEC. 6. That all laws, whether Public or Private or Public-Local, inconsistent with the provisions of this Act are hereby repealed.

SEC. 7. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 18th day of February, A.D. 1937.

H. B. 239

CHAPTER 94

AN ACT RELATING TO THE QUADRENNIAL ASSESSMENT OF PROPERTY FOR TAXATION IN MACON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That during the month of April, one thousand nine hundred and thirty-seven, or as soon thereafter as may be practicable, there shall be a revaluation and listing of all real and personal property in Macon County for taxation and the following persons are hereby appointed appraisers for the several townships in said county, the first named being the chairman for said township: Burning Town—Jud Wilds, W. R. (Bill) Parrish, J. R. Ramsey; Cartoogechaye—Robert Southards, John Roane, Oscar Lewis; Cowee—John H. Dalton, Johnathan Morgan, Carol Gibson; Ellijay—Sam Bryson, Andy Evans, John T. Henry; Franklin—(1) W. H. Roane, Charlie Rogers, Wylie Brown; Franklin—(2) Frank Moody, Walter McConnell, J. O. Harrison; Flats—H. O. Penland, Ray Dryman, Miller Ritchie; Highlands—Porter Pierson, Fred Edwards, Frank Potts; Millshoal—Jerry Franklin, Lee Dills, J. M. Raby; Nantahala—(1) George Steppe, Lee Baldwin, Luther Jacobs; Nantahala—(2) Jim Shields, James Grant, A. L. Wilson; Smith's Bridge—Robert Cabe, Tom McDowell, Charlie Norton; Sugar Fork—Ezra Shook, Charles Henderson, John T. McCoy.

Revaluation and listing of real and personal property, Macon County, for taxation required.

Appraisers named.

SEC. 2. Franklin Township (1) as designated in this bill shall comprise that part of the township lying south of State Highways number two hundred eighty-five and number twenty-eight, running through the Town of Franklin; and Franklin Township (2) as designated in this bill shall comprise that part of the township lying on the north side of State Highways number two hundred eighty-five and number twenty-eight, running through the Township of Franklin.

Franklin Township, (1) and (2), described.

SEC. 3. That the said appraisers shall receive for their work the sum of three dollars per day. The chairman in each township shall also act as list taker for personal property in his township and he shall also gather the farm statistics for said township. The chairman in each township shall also sit with the Register of Deeds as a Board of Equalization and the Register of Deeds shall also act as county tax supervisor without additional pay.

Compensation of appraisers.

Township chairmen given additional duties.

SEC. 4. That in case a vacancy should occur among the above-named appraisers, the two remaining appraisers shall name some person to fill said vacancy.

Vacancies.

SEC. 5. That except as herein provided, the general details of carrying out the listing and assessment above set forth shall be followed as found in chapter four hundred and twenty-eight of the Public Laws of one thousand nine hundred and thirty-one, or under a similar general Act enacted or to be enacted by

Procedure for listing and assessment.

the General Assembly of one thousand nine hundred and thirty-seven.

Conflicting laws
repealed.

SEC. 6. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 7. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of February, A.D. 1937.

H. B. 253

CHAPTER 95

AN ACT TO PERMIT THE COUNTY COMMISSIONERS OF WAKE COUNTY TO EXEMPT CERTAIN PERSONS FROM THE PAYMENT OF PEDDLER'S LICENSE TAX IN WAKE COUNTY.

The General Assembly of North Carolina do enact:

Wake County Commissioners authorized to exempt certain indigents from peddlers' license tax.

SECTION 1. That the Board of County Commissioners of Wake County, upon proper application, may exempt from the annual license tax levied on peddlers all persons who are without means of support other than their manual labor and who are incapacitated to perform manual labor for any reason other than by their vicious habits and who have been citizens of the State of North Carolina for two years and of Wake County for one year. Before any person shall be entitled to the benefits of this Act, he or she shall make application to the County Board of Commissioners and show to the satisfaction of the said board that he or she is entitled to the same and that he or she is incapacitated to perform manual labor and does not own property the tax valuation of which exceeds the sum of five hundred dollars (\$500.00) in his or her own name, or in the name of his wife or her husband, and when so exempted the Board of County Commissioners shall furnish such person, or persons, with a certificate of exemption and such certificate shall entitle the holder thereof to peddle within the limits of Wake County without paying any license tax.

Application to
Commissioners.

Applicant required
to prove certain
facts, showing
right to exemption.

Certificate of
exemption.

Conflicting laws
repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. And this Act shall be in force and effect from and after the date of its ratification.

In the General Assembly read three times and ratified, this the 20th day of February, A.D. 1937.

H.B. 300

CHAPTER 96

AN ACT TO REPEAL CHAPTER FORTY OF THE PUBLIC-LOCAL AND PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-NINE, WITH REFERENCE TO TENANCY IN ROWAN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter forty, of the Public-Local and Private Laws of one thousand nine hundred and twenty-nine, be, and the same is hereby repealed, in so far as it applies to, or in any way affects Rowan County.

SEC. 2. That this Act shall become effective from and after its ratification.

In the General Assembly read three times and ratified, this the 18th day of February, A.D. 1937.

Ch. 40, Public-Local Laws, 1929, relating to farm tenancies repealed as to Rowan County.

H. B. 311

CHAPTER 97

AN ACT TO EMPOWER THE GOVERNING BODY OF THE TOWN OF MOUNT HOLLY, GASTON COUNTY, TO BUY, LEASE OR SELL REAL OR PERSONAL PROPERTY FOR THE TOWN AT PUBLIC OR PRIVATE SALE.

The General Assembly of North Carolina do enact:

SECTION 1. That the governing body of the Town of Mount Holly, Gaston County, shall be empowered to buy, lease or sell real or personal property for said town at public or private sale.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 18th day of February, A.D. 1937.

Governing body, Mount Holly, authorized to buy, lease or sell property at public or private sale.

Conflicting laws repealed.

H. B. 312

CHAPTER 98

AN ACT TO EMPOWER THE GOVERNING BODY OF THE TOWN OF MOUNT HOLLY, GASTON COUNTY, TO CANCEL, RELEASE, COMPROMISE OR OTHERWISE ADJUST STREET AND SIDEWALK PAVING ASSESSMENTS AGAINST PROPERTY IN SAID TOWN.

The General Assembly of North Carolina do enact:

SECTION 1. That the governing body of the town of Mount Holly, Gaston County, is hereby authorized and empowered to

Governing body, Mount Holly, authorized to adjust paving assessments.

cancel, release, compromise or otherwise adjust street and sidewalk paving assessments levied against property in said town.

Not empowered to
refund assessments
heretofore paid.

SEC. 2. That the governing body of the town of Mount Holly shall not be empowered to make any refunds by virtue of assessment payments heretofore made.

Conflicting laws
repealed.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 18th day of February, A.D. 1937.

H. B. 323

CHAPTER 99

AN ACT TO PROHIBIT THE SALE OF FIREWORKS IN HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

Sale, possession, use,
etc., of fireworks
prohibited in
Haywood County.

SECTION 1. That it shall be unlawful for any person, firm or corporation to sell or offer for sale, shoot, fire, discharge, display, or otherwise use or have possession of any fire crackers, torpedoes, cap pistols, sky rockets, Roman candles or other articles commonly known as fireworks in the County of Haywood: *Provided*, however, that for the purpose of enforcing the provisions of this Act the sheriff of the county and the chief of police in all municipalities within the county are hereby empowered and authorized to issue permits for use in connection with the conduct of public exhibitions, such as fairs, carnivals, shows of all descriptions and public celebrations, but only after satisfactory evidence is produced to the effect that said pyrotechnics will be used for the aforementioned purpose and none other. Any person desiring to secure a permit as aforementioned, shall make application to the sheriff of said county or to the chief of police of the municipality in which said pyrotechnics are to be used.

Issuance of per-
mits for public ex-
hibitions.

Application for
permit.

Punishment for
violations.

SEC. 2. That any person violating the provisions of this Act shall be punishable by a fine not exceeding fifty (\$50.00) dollars or imprisonment not exceeding thirty days.

Applies to Hay-
wood County only.

SEC. 3. That this Act shall only apply to Haywood County.

Conflicting laws
repealed.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 18th day of February, A.D. 1937.

H. B. 68

CHAPTER 100

AN ACT TO AUTHORIZE, EMPOWER, AND DIRECT THE COUNTY TAX COLLECTOR OR SHERIFF OF DUPLIN COUNTY TO PAY ALL PENALTY AND INTEREST COLLECTED ON TAXES TO THE COUNTY TREASURER FOR CREDIT OF THE GENERAL COUNTY FUND.

The General Assembly of North Carolina do enact:

SECTION 1. The County Tax Collector or Sheriff of Duplin County is hereby authorized, empowered, and directed to pay all penalty and interest collected on taxes to the County Treasurer of Duplin County for credit of the General County Fund.

SEC. 2. That this Act shall apply only to Duplin County.

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of February, A.D. 1937.

Tax Collector or Sheriff, Duplin County, directed to pay penalties, etc., collected to County Treasurer.

Applies to Duplin County only.

Conflicting laws repealed.

H. B. 186

CHAPTER 101

AN ACT TO REPEAL CHAPTER THIRTY-FIVE, PUBLIC-LOCAL LAWS, EXTRA SESSION, ONE THOUSAND NINE HUNDRED AND TWENTY-FOUR, RATIFIED AUGUST TWENTY-FIRST, ONE THOUSAND NINE HUNDRED AND TWENTY-FOUR, ENTITLED "AN ACT TO ALLOW BROKERAGE OR COMMISSIONS, NOT EXCEEDING ONE AND ONE-HALF PER CENT, ON NOT LESS THAN NINE YEARS REAL ESTATE MORTGAGE LOANS."

The General Assembly of North Carolina do enact:

SECTION 1. That chapter thirty-five of the Public-Local Laws of the extra session of one thousand nine hundred and twenty-four, ratified August twenty-first, one thousand nine hundred and twenty-four, and entitled "An Act to allow brokerage or commissions, not exceeding one and one-half per cent, on not less than nine years real estate mortgage loans," be, and the same is hereby repealed.

SEC. 2. That this Act shall be in full force from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of February, A.D. 1937.

Ch. 35, Public-Local Laws, Extra Session, 1924, authorizing brokerage or commissions on certain mortgage loans, Buncombe, Madison, Henderson, Yancey and McDowell Counties, repealed.

H. B. 220

CHAPTER 102

AN ACT TO PROHIBIT THE MANUFACTURE AND SALE OF BEER AND WINE WITHIN TWO AND ONE-HALF MILES OF THE RAWLS BAPTIST CHURCH, CHALYBEATE SPRINGS BAPTIST CHURCH AND KIPLING METHODIST CHURCH IN HECTOR'S CREEK TOWNSHIP, HARNETT COUNTY.

The General Assembly of North Carolina do enact:

Manufacture and sale of beer and wine prohibited within certain territories in Harnett County.

SECTION 1. That it shall be unlawful for any person, firm or corporation, society or association by whatever name designated and known, to manufacture or sell, or to cause to be manufactured or sold, whether the same be at wholesale or retail, any beverage commonly known as beer or wine containing more than one-half of one per cent alcohol per volume within two and one-half (2½) miles of the Rawls Baptist Church, the Chalybeate Springs Baptist Church or the Kipling Methodist Church in Hectors Creek Township, Harnett County.

Issuance of licenses for sale of intoxicants within territory, prohibited.

SEC. 2. That the Commissioners of Harnett County, nor any other agency within the State of North Carolina, shall not issue or cause to be issued any license or permit for the sale of any beer, wine or other intoxicating beverage containing more than one-half of one per cent alcohol per volume within the said territory designated in section one above.

Violation made a misdemeanor.

SEC. 3. That any person, firm or corporation, society or association, violating any of the provisions of this Act shall be deemed guilty of a misdemeanor and shall be fined not less than twenty-five dollars nor more than five hundred dollars, or be imprisoned not less than sixty days or more than two years, or both fined and imprisoned in the discretion of the court.

Conflicting laws repealed.

SEC. 4. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 5. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of February, A.D. 1937.

H. B. 255

CHAPTER 103

AN ACT TO ABOLISH THE COUNTY RECORDER'S COURT OF CASWELL COUNTY AND TO PROVIDE MEANS FOR ESTABLISHMENT OF A COUNTY RECORDER'S COURT IN THE FUTURE.

The General Assembly of North Carolina do enact:

Recorder's Court, Caswell County, abolished.

SECTION 1. That the County Recorder's Court or Recorder's Court of Caswell County, be and the same is hereby abolished.

Transfer Recorder's Court cases to Superior Court Docket.

SEC. 2. That the Clerk of the Superior Court of Caswell County shall immediately transfer and docket into the proper docket or record of the Superior Court of Caswell County each

and every case remaining upon either the Civil or Criminal Docket of said County Recorder's Court or Recorder's Court at the date of the ratification of this Act, and said criminal and civil cases shall take their places on the docket of said Superior Court in their regular order and shall be duly tried in said Superior Court when reached for trial.

SEC. 3. That sixty days prior to the next general primary held in this state, the Board of County Commissioners of Caswell County may, if it desires a County Recorder's Court, give notice by one publication in a newspaper in Caswell County, that at said primary a recorder or judge and a solicitor of a County Recorder's Court is to be nominated as now provided for other county officials of Caswell County, and at said primary candidates for recorder or judge and solicitor of the County Recorder's Court shall be voted upon as provided for other county officers and the names of nominees of said primary shall be declared nominated and placed upon the county ticket at the next general election held in Caswell County and voted upon as other county officers and such election for recorder or judge and solicitor of the County Recorder's Court shall be held biennially thereafter as is now provided for nomination and election of other county officials of said Caswell County.

SEC. 4. That upon the election of a recorder or judge and solicitor under the provisions of section three above, upon taking the oath of office, they shall have the same powers, jurisdiction, authority and shall perform the same duties which said recorder or judge and solicitor of the County Recorder's Court now have under the general law, the intention of this Act being to require the election of the recorder or judge and solicitor of the County Recorder's Court by a vote of the people.

SEC. 5. That the salary of the recorder or judge of the County Recorder's Court shall be one hundred dollars (\$100.00) per month and that the salary of the solicitor of the County Recorder's Court shall be seventy-five dollars (\$75.00) per month, same to be paid to them in monthly installments by the Board of County Commissioners of Caswell County out of the general county fund.

SEC. 6. That all fees accruing to the judge or recorder and solicitor of the County Recorder's Court of Caswell County, under the law shall be paid into the General County Fund of Caswell County.

SEC. 7. That chapter five of the Public-Local Laws of one thousand nine hundred thirty-one, being an Act to fix the salaries of officers of the Recorder's Court of Caswell County, be and is hereby repealed and that all other laws or clauses of laws in conflict with this Act are hereby repealed.

SEC. 8. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of February, A.D. 1937.

Commissioners, Caswell County, authorized to provide for nomination and election of judge and solicitor, Recorder's Court.

Biennial elections.

Judge and solicitor granted powers, etc. as provided by general law governing County Recorder's Courts.

Election of judge and solicitor.

Salaries.

Paid from general county fund.

Fees paid into general fund.

Ch. 5, Public-Local Laws, 1931, and other conflicting laws repealed.

H. B. 258

CHAPTER 104

AN ACT CREATING FIVE DISTRICTS IN NORTHAMPTON COUNTY FOR THE NOMINATION OF MEMBERS OF THE BOARD OF EDUCATION.

The General Assembly of North Carolina do enact:

Northampton County
divided into 5
districts.
Districts described.

SECTION 1. That Northampton County shall be and the same is hereby divided into five districts as follows:

- (a) Kirby Township shall constitute District Number One;
- (b) Rich Square Township shall constitute District Number Two;
- (c) Roanoke and Jackson Townships shall constitute District Number Three;
- (d) Seaboard and Wiccacanee Townships shall constitute District Number Four;
- (e) Oconeechee, Pleasant Hill and Gaston Townships shall constitute District Number Five.

After April 1, 1937,
Northampton Board
of Education to
consist of 5
members.

SEC. 2. That from and after the first day of April, one thousand nine hundred and thirty-seven, the Board of Education of Northampton County shall consist of five members and the following named persons shall constitute said board for the two year term beginning April first, one thousand nine hundred and thirty-seven: First District—W. Harry Stephenson; Second District—Dr. W. R. Parker; Third District—E. S. Bowers; Fourth District—Dr. J. W. Parker; Fifth District—J. A. Shaw.

Members
named.

Nomination and
election of
successors.

SEC. 3. That at the next primary to be held in Northampton County in one thousand nine hundred and thirty-eight and biennially thereafter, there shall be nominated from each of the above five districts one member of the Board of Education of said county, said candidates to be voted on by the qualified voters of Northampton County.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of February, A.D. 1937.

H. B. 316

CHAPTER 105

AN ACT TO PERMIT THE COUNTY BOARD OF EDUCATION OF GUILFORD COUNTY, NORTH CAROLINA, TO SELL THE OLD RED HILL COLORED SCHOOL PROPERTY TO THE RED HILL METHODIST EPISCOPAL CHURCH (COLORED) WITHOUT ADVERTISING THE SAME.

Preamble: Red Hill
Colored school
property not used,
for school purposes.

Whereas, the old Red Hill Colored School property has not been used for school purposes for five years; and

Whereas, about one thousand nine hundred and fifteen the

negroes in that community donated the site for the school building, said site now adjoins the property of the Red Hill Methodist Episcopal Church (Colored); and

Site for building
donated by Negroes.

Whereas, Mr. J. B. Cobb donated for the benefit of the negro race about three-fourths of the cost of the building which was erected on the said property; and

Part of cost of
building donated
by J. B. Cobb.

Whereas, the County Board of Education at its regular meeting held on February sixth, one thousand nine hundred and thirty-seven, by unanimous vote, adopted a resolution stating that in the opinion of the board this site has become unnecessary for public school purposes, and requested that a bill be prepared permitting the County Board of Education to sell the property to the Red Hill Methodist Episcopal Church (Colored) without advertising; Now, Therefore,

Sale of property
to Negro Church
desired.

The General Assembly of North Carolina do enact:

SECTION 1. That the County Board of Education of Guilford County is hereby empowered to execute a deed to the Trustees of the Red Hill Methodist Episcopal Church (Colored) upon the payment by said church of an amount agreed upon between the County Board of Education and the Trustees of said church.

Board of Education,
Guilford County,
authorized to sell
and convey prop-
erty to Red Hill M.
E. Church.

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of February, A.D. 1937.

H. B. 318

CHAPTER 106

AN ACT TO AMEND CHAPTER ONE HUNDRED AND SEVENTY OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE, ENTITLED "AN ACT TO CREATE AND ESTABLISH A BUREAU OF IDENTIFICATION FOR THE COUNTY OF NEW HANOVER," PROVIDING AN ASSISTANT TO THE IDENTIFICATION EXPERT AND PROVIDING FOR VACATIONS WITH PAY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and seventy of the Public-Local Laws of one thousand nine hundred and thirty-five be and the same is hereby amended by adding at the end of section five thereof the following:

Ch. 170, Public-
Local Laws, 1935,
amended.

"That the Identification Expert shall be entitled to one assistant whose compensation shall be fixed by the joint Boards of Commissioners hereinbefore named, and the Identification Expert and his assistant shall each, be entitled annually to a vacation of ten days with pay. The joint Boards of Commissioners of the City of Wilmington and the County of New Hanover shall provide the bureau with such supplies and equipment as may be needed from time to time, the costs of which shall likewise be borne jointly by the City of Wilmington and the

Identification Expert,
New Hanover
County, allowed
an assistant.

Vacation.

Supplies, etc.,
provided for.

Identification Expert
to be known as
"Supt. of Identifi-
cation Bureau."

County of New Hanover. The Identification Expert in charge of said bureau shall be known and designated as Superintendent and shall be referred to as Superintendent of Identification Bureau."

Conflicting laws
repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of February, A.D. 1937.

H. B. 329

CHAPTER 107

AN ACT TO PROVIDE A BOXING AND WRESTLING COMMISSION FOR THE CITY OF HIGH POINT, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Boxing and Wrest-
ling Commission,
High Point, au-
thorized; three
members, appointed
by governing body.

SECTION 1. That the governing body of the City of High Point is hereby empowered and authorized to appoint a Boxing and Wrestling Commission, to consist of three citizens. The term of office of each member of said commission shall be three (3) years, except that the members of such commission first appointed by the governing body, shall be appointed for such terms as that the term of one member shall expire annually after the date of appointment; and the governing body, in making such appointments, designate the term for which each member of said commission is appointed, and who shall serve without compensation.

Terms of office.

No compensation.

Boxing and Wrest-
ling matches made
lawful.

Commission au-
thorized to make
regulations for
exhibitions.

Power to prohibit
or stop matches.

SEC. 2. That it shall be lawful to engage in, manage, or promote boxing and wrestling matches: *Provided*, said commission shall have full power and authority to make such rules and regulations as in its discretion may be necessary for the proper regulation of such boxing and wrestling exhibition, and shall have power to prohibit or stop a match at any time, even after consent has been given for holding of such boxing or wrestling match.

Misdemeanor to hold
boxing, etc., match
without consent of
Commission or to
violate Commission's
rules, etc.

SEC. 3. That any person or persons guilty of engaging in or promoting, aiding or abetting such boxing or wrestling matches without first having the written consent of said Boxing and Wrestling Commission, and any person or persons violating the rules and regulations of said commission, or refusing to obey orders of said commission controlling boxing and wrestling matches shall be guilty of a misdemeanor, and shall be fined not more than five hundred (\$500.00) dollars, or imprisoned not more than six (6) months in the discretion of the court.

Punishment.

SEC. 4. That all laws and clauses of laws in conflict with this Act are hereby repealed. Conflicting laws repealed.

SEC. 5. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of February, A.D. 1937.

H. B. 397

CHAPTER 108

AN ACT TO REPEAL CHAPTER FIFTY-SEVEN, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-NINE REGARDING THE ISSUANCE OF BONDS BY THE COMMISSIONERS OF CHATHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter fifty-seven of the Public-Local Laws of session one thousand nine hundred and twenty-nine of the General Assembly, ratified February twenty-second, one thousand nine hundred and twenty-nine, be, and the same is hereby repealed. Ch. 57, Public-Local Laws, 1929, relating to bond issues, Chatham County, repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed. Conflicting laws repealed.

SEC. 3. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of February, A.D. 1937.

S. B. 63

CHAPTER 109

AN ACT TO PROVIDE FOR THE ELECTION AND REGULATION OF SALARY OF THE TAX COLLECTOR OF PENDER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That at the next election to be held in Pender County in one thousand nine hundred thirty-eight for the election of county officers, and biennially thereafter, there shall be elected a county tax collector, who shall take office on the first Monday in December, following his election; and who shall serve for a period of two years, or until his successor is elected and qualified. Tax Collector for Pender County.
Election.
Term of office.

SEC. 2. All taxes including current and delinquent taxes shall be turned over to the tax collector for collection; and his salary as tax collector shall not exceed twenty-four hundred (\$2400.00) dollars per year, to be paid in the following man- Collection of all current and delinquent taxes.
Salary.

ner: three (3%) per cent on all current taxes, except Public Service Corporation taxes, on the first thirty thousand (\$30,000.00) dollars collected and five (5%) per cent on all additional current taxes collected by him. Monthly payments to be made out of the general county fund, based on amount of current taxes collected during the previous month.

Conflicting laws
repealed.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of February, A.D. 1937.

S. B. 132

CHAPTER 110

AN ACT FIXING THE COMPENSATION OF THE MEMBERS OF THE BOARD OF COMMISSIONERS OF EDGE-COMBE COUNTY, NORTH CARLINA.

The General Assembly of North Carolina do enact:

Compensation of
Chairman, Board of
Commissioners,
Edgecombe County.

SECTION 1. That the Chairman of the Board of Commissioners of Edgecombe County shall receive as compensation for his services a monthly salary in the sum of fifty (\$50.00) dollars.

Compensation of oth-
er members of
Board.

SEC. 2. That each and all of the members of the Board of Commissioners of Edgecombe County, other than its Chairman, shall receive as compensation for their services a monthly salary in the sum of fifteen (\$15.00) dollars.

Additional compen-
sation for special
meetings.

SEC. 3. That each and all of the members of the Board of Commissioners of Edgecombe County, including its Chairman, shall receive, in addition to the above compensation, the sum of five (\$5.00) dollars for each and every special meeting, and also mileage of six cents per mile to and from their places of residence for both special and regular meetings.

Mileage allowance.

Conflicting laws
repealed.

SEC. 4. That all laws or clauses of laws in conflict herewith are hereby repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of February, A.D. 1937.

S. B. 79

CHAPTER 111

AN ACT CREATING A CENTRAL BOARD OF ASSESSORS FOR FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners for the County of Forsyth, are hereby authorized and empowered, in their discretion, to create a board to be known as the Central Board of Assessors for Forsyth County, whose duties it shall be to supervise the assessment of all real property for taxation. It shall be the duty of the members of the Central Board of Assessors to visit the assessors in each township while they are engaged in assessing real property for taxation, and shall advise and confer with such assessors to the end that all real property subject to taxation shall be assessed fairly and uniformly in the several townships.

Central Board of Assessors, Forsyth County, created.

Duty to supervise real property taxation assessments.
Other duties.

SEC. 2. The Central Board of Assessors shall, at the request and by authority of the County Board of Commissioners, act as a board of equalization for the purpose of equalizing the valuation of real estate in the several townships, and shall hear appeals from valuations fixed by township assessors, order new appraisals or confirm the appraisal as made by township assessors. Appeal from the Board of Assessors acting as a board of equalization may be had by appearing before the Board of County Commissioners sitting as a board of equalization and review.

Board may act as board of equalization.

Hear appeals from township assessors, etc.

Appeal from Board of Assessors to Commissioners.

SEC. 3. The Central Board of Assessors for Forsyth County shall be composed of not less than three, and not more than five members, appointed by the Board of County Commissioners for Forsyth County. The Board of County Commissioners, in order to promote the common weal in making the appointments to the Central Board of Assessors, or in the event there is a vacancy on said board, on account of illness, resignation, or otherwise, of one of its members, may delegate the duties of one of the members of the Central Board of Assessors to one of its members to be performed ex officio as mere auxiliary duties and designate one of its members to perform such duties, and the person so designated shall have all of the powers and authority as a member of the Central Board of Assessors while he shall serve in that capacity and shall receive such compensation as a member of said board, but shall receive no salary as a member of the Board of County Commissioners for Forsyth County, while performing the duties as a member of the Central Board of Assessors.

Membership.

Appointment by County Commissioners.

County Commissioner may be member of Central Board of Assessors.

Compensation as member of Board of Assessors.

SEC. 4. That the Central Board of Assessors shall serve for such time and receive such compensation as may be prescribed by the Board of County Commissioners. The county commissioners are authorized to provide such clerical or other assistance as they may deem advisable.

Compensation of members prescribed by Commissioners.

Clerical assistance.

Ch. 287, Public-Local Laws, 1933, and other conflict-ing laws, repealed.

Applies only to Forsyth County.

SEC. 5. That all laws and clauses of laws in conflict with this Act are hereby repealed, and particularly chapter two hundred eighty-seven, Public-Local Laws of the nineteen hundred thirty-three session of the General Assembly.

SEC. 6. That this Act shall apply only to Forsyth County.

SEC. 7. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 24th day of February, A.D. 1937.

S. B. 92

CHAPTER 112

AN ACT TO AUTHORIZE CATAWBA COUNTY TO ESTABLISH AND MAINTAIN A COUNTY LAW LIBRARY

The General Assembly of North Carolina do enact:

County Law Library, Catawba County, provided for.

SECTION 1. The Board of Commissioners of Catawba County is hereby authorized to establish and maintain a county law library, to accept gifts and bequests for that purpose, and from time to time to adopt and amend reasonable rules and regulations for the use thereof.

Persons entitled to use library.

SEC. 2. Any judge or solicitor of North Carolina, any Senator or Representative from Catawba County, any officer of Catawba County or of any town or city situate within said county, any person having a civil or criminal case in either the Superior Court of Catawba County, the Recorder's Court of Catawba County, or the Municipal Court of the City of Hickory, any representative of the press reporting the trial of cases and any and all lawyers now or hereafter engaged in the practice of law within Catawba County may use the library without charge, subject to the rules and regulations enacted by the Board of County Commissioners.

Use subject to regulations by County Commissioners.

Fees taxed as costs in cases in Catawba County courts to provide library funds.

SEC. 3. The following fees shall be taxed as a part of the costs in cases tried in the Superior Court of Catawba County, in Catawba County Recorder's Court and in the Municipal Court of the City of Hickory:

- (1) Criminal cases:
 - (a) Misdemeanors—fifty cents
 - (b) Felonies—one dollar
- (2) Civil cases—one dollar

No fees taxed against County or City of Hickory.

In the event of acquittal or the failure of any defendant to pay the costs, the fees above mentioned shall not be taxed against Catawba County or the City of Hickory.

Collection of costs; monthly reports.

SEC. 4. The clerks of each of said courts shall collect such costs, shall make a monthly report thereof to the Chairman of the Board of County Commissioners and to the Chairman of the Library Committee of the Catawba County Bar Association. The costs so collected by the Municipal Court of Hickory

and by the Recorder's Court of Catawba County shall be remitted by the clerks thereof on or before the tenth day of the following month to the Clerk of the Superior Court of Catawba County, who shall deposit same, together with such fees collected by his office, in a special account to be known as "Catawba Law Library Fund."

SEC. 5. The unincorporated association known as Catawba Bar Association shall annually appoint, or authorize its president to appoint, a library committee of three active lawyers; and the committee so elected or appointed shall have power to purchase books and equipment for Catawba Law Library—such purchases at no time to exceed the amount of funds then on deposit; and the Chairman of the Library Committee and the Clerk of the Superior Court are authorized and empowered to sign checks upon such account in payment of the books and/or equipment so purchased.

SEC. 6. The Chairman of the Library Committee for the year nineteen hundred and thirty-seven and the Clerk of the Superior Court of Catawba County are hereby required to make an inventory of all law books now owned by Catawba County and in the office of said clerk or in his custody—listing each book by name—and to have such inventory entered upon the minutes of the Board of County Commissioners.

SEC. 7. The Chairman of the Library Committee, to be elected or appointed from time to time as heretofore stated, shall on the first Monday of June and December of each year file a written, itemized report, under oath, of all books and equipment purchased during the preceding six months period and the Clerk of the Superior Court shall likewise make a written report, under oath, showing the amounts received from each court, the amount expended and the balance on hand.

SEC. 8. All books now on hand and all books and equipment purchased as herein provided, and all books received as gifts and bequests shall be and remain the property of Catawba County.

SEC. 9. The Library Committee of the Catawba Bar Association may authorize the establishment of a branch library in the City of Hickory for the convenience of the Municipal Court of said city: *provided*, the City of Hickory shall provide suitable quarters with heat and light, free of charge, for such branch. A proper inventory of all books and equipment delivered to any branch shall be made and kept.

SEC. 10. The Library Committee of the Catawba Bar Association, in the event the funds are sufficient, may employ some suitable person as librarian and pay the compensation of such person out of the funds hereinbefore mentioned.

SEC. 11. Any person, firm or corporation violating any rule and regulation adopted by the Board of County Commissioners under the authority herein conferred shall be guilty of a misdemeanor and shall be subject to a fine of not exceeding fifty

Remittance of costs.

Special account for funds.

Library Committee, Catawba Bar Association, authorized to purchase books, etc.

Limit on purchases.

Inventory of law books now owned by County required.

Entered on minutes of Commissioners.

Semi-annual reports of books and equipment purchased.

Reports of court costs received.

Books and equipment property of Catawba County.

Branch library at Hickory authorized.

Provision of suitable quarters, etc. requisite.

Inventory.

Librarian.

Compensation.

Violation of regulations made a misdemeanor.

Punishment.

Privilege of using
library revoked upon
second conviction.

Catawba Bar Associ-
ation not authorized
to create debt on
behalf County.

dollars or to imprisonment not exceeding thirty days. In the event of a second conviction, for violation of such rules or regulations, such person, firm or corporation shall be deprived of the privilege of using such library or any branch thereof for a period of twelve months.

SEC. 12. Nothing herein contained shall be construed as authorizing the Catawba Bar Association, or any committee thereof, to create any debt or obligation for or on behalf of Catawba County.

SEC. 13. This Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 24th day of February, A.D. 1937.

S. B. 113

CHAPTER 113

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF CUMBERLAND COUNTY TO ASSUME THE ROAD INDEBTEDNESS OF BLACK RIVER TOWNSHIP ROAD DISTRICT.

The General Assembly of North Carolina do enact:

Commissioners,
Cumberland County,
authorized to as-
sume bonded in-
debtedness Black
River Township
Road District.

SECTION 1. That the County Commissioners of Cumberland County be and they are hereby authorized and empowered to assume any and all road indebtedness of Black River Township Road District as evidenced by the outstanding bonds of said Black River Township Road District, and to pay said debt as the same becomes due and payable.

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 24th day of February, A.D. 1937.

S. B. 139

CHAPTER 114

AN ACT RELATIVE TO THE APPOINTMENT OF A SCHOOL BOARD FOR THE ASHEVILLE LOCAL TAX SCHOOL DISTRICT, AND DEFINING ITS POWERS AND DUTIES.

The General Assembly of North Carolina do enact:

Ch. 149, Private
Laws, 1931, Ch.
149, Private Laws,
1933, Ch. 125, Pri-
vate Laws, 1935,
amended.

SECTION 1. That chapter one hundred forty-nine of the Private Laws of one thousand nine hundred and thirty-one, chapter one hundred forty-nine of the Private Laws of one thousand nine hundred and thirty-three and chapter one hundred twenty-five of the Private Laws of one thousand nine hundred and thirty-five be, and the same is hereby, amended so as to read as follows:

"That said Asheville Local School District shall have a Board of Committeemen, known and designated as the Asheville School Board, composed of five (5) members; and Messrs. W. M. Smathers, W. A. Goodson, W. Randall Harris and Mesdames Fred Hampton and Robert Russell be, and they hereby are, appointed as members of said Asheville School Board, whose term of office shall begin on the first day of April, one thousand nine hundred and thirty-seven and they shall hold office as such until their successors are elected, or appointed, and qualified, as hereinafter provided."

Appointment of members of Asheville School Board.

Term of office.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 24th day of February, A.D. 1937.

S. B. 147

CHAPTER 115

AN ACT TO REPEAL CHAPTER ONE HUNDRED EIGHTY-EIGHT OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE.

The General Assembly of North Carolina do enact:

SECTION 1. That all residents of the City of Asheville, North Carolina owning or operating a motor vehicle within the corporate limits of the City of Asheville shall, from and after the first day of January, one thousand nine hundred and thirty-eight, and every twelve months thereafter, be required to purchase from the Tax Collector of the City of Asheville a registration tag.

Motor vehicle registration tag required of residents of Asheville, after Jan. 1, 1938.

SEC. 2. That the registration tag set out in section one of this Act shall not exceed the cost of one dollar for each and every tag so purchased.

Tag cost not to exceed \$1.

SEC. 3. That every resident of the City of Asheville operating a motor vehicle within the corporate limits of the City of Asheville, as set out in section one of this Act, shall be required to display said registration tag in some conspicuous place on said motor vehicle at all times.

Conspicuous display of tag required.

SEC. 4. That chapter one hundred eighty-eight of the Private Laws of the General Assembly of North Carolina, session one thousand nine hundred and thirty-five, is hereby repealed.

Ch. 188, Private Laws, 1935, repealed.

SEC. 5. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 6. That this Act shall be in full force and effect from and after the first day of January, one thousand nine hundred and thirty-eight.

Effective date.

In the General Assembly read three times and ratified, this the 24th day of February, A.D. 1937.

H. B. 211

CHAPTER 116

AN ACT TO AUTHORIZE HEMP SCHOOL DISTRICT TO
PAY TEACHER OUT OF UNAPPROPRIATED FUNDS
FROM SPECIAL TAX BELONGING TO SAID DISTRICT
IN MOORE COUNTY

Preamble: Hemp
School District en-
titled to additional
high school teacher.

Whereas, Hemp School District was created a Special Taxing District, and as such obtained a loan from the State Literary Fund to erect a school building; and *whereas*, under the State School Act of one thousand nine hundred thirty-one, and amendments thereto, said district was made a part of the Moore County administrative unit, and said Special Taxing District abolished except as a taxing district to raise revenue to pay off said loan to the State Literary Fund; and *whereas*, said Hemp District is, under the rules laid down by the State School Commission according to its daily average attendance, entitled to an additional high school teacher, which has not been allotted to said district by said school commission; and

Additional teacher
hired for 1936-37
term.

Whereas, said teacher is necessary and has been hired by said Hemp School District for the school year one thousand nine hundred thirty-six and one thousand nine hundred thirty-seven at a salary of six hundred dollars (\$600.00) for said term, and said district has or will have to its credit sufficient funds unappropriated to pay said teacher as aforesaid.

Salary funds
available.

The General Assembly of North Carolina do enact:

County Superin-
tendent and Account-
ant, Moore County,
authorized to pay
additional teacher's
salary for 1936-37.

SECTION 1. That the County Superintendent of Moore County and the County Accountant of Moore County be, and they are, hereby authorized and empowered and directed to draw and sign vouchers and pay said high school teacher his monthly salary for said school year of one thousand nine hundred thirty-six and one thousand nine hundred thirty-seven, from the funds to the credit of said Hemp Special Taxing District unappropriated and not necessary to pay the installments due the State Literary Fund for said year one thousand nine hundred thirty-six and one thousand nine hundred thirty-seven.

Conflicting laws
repealed.

SEC. 2. That all laws and clauses of laws inconsistent with this Act be, and they are, hereby repealed.

SEC. 3. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 24th day of February, A.D. 1937.

S. B. 170

CHAPTER 117

AN ACT TO AMEND CHAPTER ONE HUNDRED FIFTY-THREE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE, RELATING TO THE TAX COLLECTOR OF BEAUFORT COUNTY.

Whereas, W. A. Blount, Jr. is Tax Collector of Beaufort County acting under the provisions of chapter one hundred fifty-three, Public-Local Laws of one thousand nine hundred and thirty-five, and was so acting between June first, one thousand nine hundred and thirty-six, and the first Monday in October one thousand nine hundred and thirty-six; and

Whereas, he collected certain taxes falling due in one thousand nine hundred and thirty-six which were on the one thousand nine hundred and thirty-six tax books which were legally turned over to him for collection on the first Monday in October, one thousand nine hundred and thirty-six; and

Whereas, the Board of Commissioners have been advised that under the existing provisions of law, they were without legal authority to pay him commissions on collections made during said time, although at the time said collections were made, the said Blount understood that he would be entitled to the same commissions as if said collections were made subsequent to the first Monday in October, one thousand nine hundred and thirty-six; and

Whereas, said taxes so collected have been properly accounted for and the pre-payment thereof inured to the benefit of the County; *Now, Therefore*,

The General Assembly of North Carolina do enact:

SECTION 1. The Board of Commissioners of Beaufort County be, and they are hereby, authorized and empowered to pay to W. A. Blount, Jr., as Tax Collector of Beaufort County, such sum as in their opinion, if any, is fair and proper on account of services rendered in the collection of taxes levied for the year one thousand nine hundred and thirty-six prior to October first, one thousand nine hundred and thirty-six.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 25th day of February, A.D. 1937.

Preamble: W. A. Blount, Jr., Tax Collector of Beaufort County.

Certain 1936 taxes collected.

Commissioners advised of lack of authority to pay commissions on taxes collected after said date.

Proper accounting for collections.

Commissioners, Beaufort County, authorized to compensate W. A. Blount, Jr., for collecting certain 1936 taxes.

Conflicting laws repealed.

H. B. 162

CHAPTER 118

AN ACT TO AMEND SECTION TWELVE OF CHAPTER TWO HUNDRED AND TWENTY-FIVE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-THREE RELATIVE TO THE SALARY OF THE REGISTER OF DEEDS OF NEW HANOVER COUNTY.

The General Assembly of North Carolina do enact:

Ch. 225, Public-Local Laws, 1933, amended to increase salary of Register of Deeds, New Hanover County.

SECTION 1. That section twelve of chapter two hundred and twenty-five of the Public-Local Laws, one thousand nine hundred and thirty-three be and the same is hereby amended by striking out the words and figures "twenty-five hundred (\$2,500.00) dollars" in line two of said section and inserting in lieu thereof the words and figures "thirty-three hundred (\$3,300.00) dollars."

Conflicting laws repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 25th day of February, A.D. 1937.

H. B. 183

CHAPTER 119

AN ACT TO AMEND CHAPTER ONE HUNDRED NINETY-SIX OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-ONE, RELATIVE TO THE SALARY AND FEES OF THE CLERK OF THE SUPERIOR COURT AND REGISTER OF DEEDS OF CALDWELL COUNTY.

The General Assembly of North Carolina do enact:

Ch. 196 Public-Local Laws, 1931, amended as to pay of assistants to Register, Caldwell County.

SECTION 1. That section two of chapter one hundred ninety-six of the Public-Local Laws of one thousand nine hundred thirty-one, be, and the same is hereby amended by striking out all of said section two after the word "fund" in line ten, and inserting in lieu thereof the following: "the amount to be discretionary with the Board of County Commissioners."

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 25th day of February, A.D. 1937.

H. B. 230

CHAPTER 120

AN ACT TO PROVIDE AN ALLOWANCE FOR TRAVEL
EXPENSE FOR THE SHERIFF OF WARREN COUNTY

The General Assembly of North Carolina do enact:

SECTION 1. That the County Commissioners of Warren County are hereby empowered and directed to pay, from the general fund of said county, the sum of six hundred (\$600.00) dollars annually to the sheriff as an allowance for travel expense. Said sum shall be paid in equal monthly installments of fifty (\$50.00) dollars each and shall be in addition to all other compensation now allowed by law to said sheriff. Said payments shall begin as of the first Monday in December, one thousand nine hundred thirty-six, and the first payment made after ratification of this Act shall include the installments accruing from said date to the date of said payment.

Travel expense allowance for Sheriff, Warren County, authorized.

Payable monthly.

Initial payment.

SEC. 2. All laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 25th day of February, A.D. 1937.

H. B. 231

CHAPTER 121

AN ACT TO REGULATE THE DRAWING OF THE GRAND
JURY IN WARREN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. At the term of Superior Court in Warren County beginning on the eleventh Monday after the first Monday in March, nineteen hundred and thirty-seven, a new grand jury shall be drawn in the manner provided by law. The first nine grand jurors so drawn shall serve until the term beginning on the seventh Monday before the first Monday in March, nineteen hundred and thirty-eight, and the second nine so drawn shall serve until the term beginning on the eleventh Monday after the first Monday in March, nineteen hundred and thirty-eight. Beginning with nineteen hundred and thirty-eight, nine grand jurors shall be drawn annually at the term beginning the seventh Monday before the first Monday in March to serve until the corresponding term the following year, and nine shall be drawn annually at the term beginning the eleventh Monday after the first Monday in March to serve until the corresponding term the following year.

Grand jury, Warren County.

Terms and selection.

Conflicting laws
repealed.

SEC. 2. All laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 25th day of February, A.D. 1937.

H. B. 302

CHAPTER 122

AN ACT TO FIX THE SALARIES OF THE MAYOR AND ALDERMEN OF THE TOWN OF WAYNESVILLE.

The General Assembly of North Carolina do enact:

Salary of mayor
and aldermen,
Town of Waynes-
ville.

SECTION 1. That from and after the expiration of the present term of office of the mayor and aldermen of the town of Waynesville the salary of the mayor of said town shall be fifty dollars per month and that of each alderman six dollars per month.

Conflicting laws
repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 25th day of February, A.D. 1937.

H. B. 326

CHAPTER 123

AN ACT TO FIX THE COMPENSATION OF THE MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF MACON COUNTY.

The General Assembly of North Carolina do enact:

Ch. 96, Public-
Local Laws, 1933,
repealed.

SECTION 1. That chapter ninety-six of the Public-Local Laws of one thousand nine hundred and thirty-three be and the same is hereby repealed.

Compensation of
Commissioners,
Macon County.

SEC. 2. That the members of the Board of County Commissioners of Macon County shall receive the sum of four dollars per day and five cents per mile in going to and from the place of meeting for each day in which they are in session not exceeding ten days in each month, the same to be in lieu of all other compensation. The said commissioners shall also be allowed actual expenses when being engaged in business for the county when it is necessary for them to go outside of said county.

Expenses allowed
when on business
outside county.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws
repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 25th day of February, A.D. 1937.

H. B. 328

CHAPTER 124

AN ACT TO CREATE A LIVESTOCK COMMISSION FOR MACON COUNTY AND TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS TO PURCHASE PURE BRED STOCK.

The General Assembly of North Carolina do enact:

SECTION 1. That there is hereby created a Livestock Commission for Macon County to be composed of three members as follows: C. S. Slagle, Bunyan Justice and C. L. Garner. The members of the said Livestock Commission shall receive the sum of three dollars per day and actual expenses when actually engaged in the performance of their duties. That any vacancy in said commission shall be filled by the other members.

Livestock Commission, Macon County created.
Members named.

Compensation.

Vacancies.

SEC. 2. That the County Commissioners of Macon County are hereby authorized and directed to purchase not more than ten bulls, of such beef breed as may be decided on by the said Livestock Commission, and also one jack. Said animals shall be used for the exclusive benefit of the stockraisers and citizens of Macon County and shall be and remain the property of the county.

Purchases authorized.

Used for exclusive benefit stockraisers, Macon County.

SEC. 3. That the said Livestock Commission shall have full charge of the animals herein directed to be purchased and shall provide for their care, upkeep and control and shall make such rules in accordance therewith as they may deem necessary.

Livestock Commission given charge of said animals.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 25th day of February, A.D. 1937.

H. B. 350

CHAPTER 125

AN ACT PROVIDING FOR THE ELECTION AND COMPENSATION OF THE MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and twenty of the Public-Local Laws of one thousand nine hundred and thirty-five be and the same is hereby repealed.

Ch. 120, Public-Local Laws, 1935, repealed.

SEC. 2. That in the year one thousand nine hundred and thirty-eight, and biennially thereafter, in the same manner and at the same time provided for the nomination and election of other county officers, there shall be nominated and elected by the qualified voters of Haywood County three persons who shall

Election of Board of Commissioners, Haywood County.

Three members.

Compensation.

Conflicting laws
repealed.

constitute the Board of County Commissioners of said county. The said commissioners shall receive the sum of five dollars per day for each day in which they are in session.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 25th day of February, A.D. 1937.

H. B. 354

CHAPTER 126

AN ACT TO AMEND CHAPTER ONE HUNDRED FIFTY-TWO OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-FIVE REGULATING THE SALARIES OF CERTAIN OFFICERS OF WAKE COUNTY.

The General Assembly of North Carolina do enact:

Ch. 152, Public-
Local Laws, 1935,
amended, to
increase salaries of
Sheriff, etc., Wake
County.

SECTION 1. That section one of chapter one hundred and fifty-two of the Public-Local Laws of one thousand nine hundred and thirty-five be amended by striking out the words "three thousand three hundred and seventy-five" in line four thereof and inserting in lieu thereof the words "three thousand six hundred."

Sec. 2, Ch. 152,
Public-Local Laws,
1935, amended to
increase salary of
Coroner, Wake
County.

SEC. 2. That section two of chapter one hundred and fifty-two of the Public-Local Laws of one thousand nine hundred and thirty-five be amended by striking out the words "one thousand three hundred and fifty" in line two thereof and inserting in lieu thereof the words "fifteen hundred."

Conflicting laws
repealed.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Effective date.

SEC. 4. That this Act shall be in full force and effect on and after April first, one thousand nine hundred and thirty-seven.

In the General Assembly read three times and ratified, this the 25th day of February, A.D. 1937.

H. B. 370

CHAPTER 127

AN ACT TO LICENSE AND REGULATE TOURIST CAMPS, DANCE HALLS, ROAD HOUSES AND SIMILAR BUSINESSES IN GUILFORD COUNTY, LOCATED OUTSIDE THE LIMITS OF THE INCORPORATED CITIES AND TOWNS THEREIN.

The General Assembly of North Carolina do enact:

SECTION 1. That from and after April first, one thousand nine hundred and thirty-seven, it shall be unlawful for any person to operate in Guilford County outside the limits of the cities

of High Point, Greensboro and Gibsonville any tourist camp, dance hall, road house, place of entertainment, hotel, inn, or lodging or rooming house for the accommodation of travellers of the public generally, unless such person holds a license therefrom from the Board of County Commissioners of Guilford County. Any person violating the provisions of this section shall be guilty of a misdemeanor and shall be fined or imprisoned in the discretion of the court.

SEC. 2. That every person making application for a license to operate any business described in the foregoing section shall make such application in writing to said Board of County Commissioners in such form as said board shall prescribe. Before any such license shall be issued, said board shall be satisfied that the applicant is of good moral character, has never been convicted of a crime involving moral turpitude, and has not been adjudged guilty in a court of competent jurisdiction of a violation of the state or federal laws relating to prohibition, liquor control or prostitution within a period of two years immediately preceeding the time of said application. Every person to whom such license is issued shall be the actual manager, operator or person in charge of such business.

SEC. 3. That the Board of County Commissioners of Guilford County shall regulate and prescribe rules for the conduct of the businesses designated in section one hereof, which rules and regulations shall provide for the keeping of registers by operators of tourist camps, hotels, inns and lodging houses coming under this Act for the registration of guests, patrons or customers thereof. Whenever any person, being duly licensed under this Act, shall violate any of the regulations promulgated by said Board of County Commissioners with respect to the operation of the business so licensed, or allows the premises with respect to which the license is issued to be used for any unlawful, disorderly or immoral purpose, or permits or suffers such premises to become a nuisance, the license of such person may be revoked by the Board of County Commissioners of Guilford County after such person has been given an opportunity to be heard in his defense. Upon the revocation of his license, it shall be unlawful for such person to operate said business and the said board shall not issue to such person a new license under this Act for a period of two years. Upon a revocation of a license hereunder by the said Board of County Commissioners, the person whose license has been revoked may appeal to the Municipal Court of High Point, if the business for which the license was issued or revoked be located in High Point, Deep River or Jamestown townships in Guilford County, or to the Superior Court of Guilford County if said business be located outside the said three townships.

SEC. 4. That if any section, part, sentence or clause of this Act shall be declared unconstitutional, the remaining parts hereof shall remain in full force and effect.

Operation of tourist camp, dance hall, etc., in certain territory in Guilford County, after April 1, 1937, without license, prohibited.
Violation a misdemeanor.

Application for license.

Requisites for obtaining license.

Licensee must be actually in charge of business.

Guilford County Commissioners authorized to prescribe regulations.

Revocation of license.

Opportunity of hearing.
Upon revocation, no new license for 2 years.

Appeal to Courts.

Partial invalidity clause.

Conflicting laws
repealed.

SEC. 5. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 6. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 25th day of February, A.D. 1937.

H. B. 382

CHAPTER 128

AN ACT TO PROHIBIT THE SALE OF INTOXICANTS OF ANY NATURE OR KIND WITHIN ONE (1) MILE OF THE METHODIST AND BAPTIST CHURCHES LOCATED IN THE VILLAGE OF HIDDENITE, ALEXANDER COUNTY.

The General Assembly of North Carolina do enact:

Sale of intoxicants
within one mile of
churches in Hidden-
ite, Alexander
County, prohibited.

SECTION 1. That it shall be unlawful for any person, firm or corporation to sell or offer for sale any intoxicating liquors, wines, beer, home-brew or intoxicants of any nature or kind within one (1) mile of the Methodist Church and/or the Baptist Church located in the village of Hiddenite, Alexander County.

Violation a mis-
demeanor.

SEC. 2. That any person, firm or corporation violating the provisions of this Act shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned in the discretion of the court.

Effective date.

SEC. 3. That this Act shall be in full force and effect from and after the first day of May, one thousand nine hundred and thirty-seven.

In the General Assembly read three times and ratified, this the 25th day of February, A.D. 1937.

S. B. 138

CHAPTER 129

AN ACT AUTHORIZING THE ISSUANCE OF FUNDING BONDS OF ALAMANCE COUNTY AND VALIDATING THE OUTSTANDING INDEBTEDNESS TO BE FUNDED BY SAID FUNDING BONDS.

Preamble: Au-
thorization of bond
issues by Commis-
sioners of Alamance
County.

Whereas, the Board of Commissioners of Alamance County, North Carolina, has finally passed in accordance with the provisions of the County Finance Act, as amended, two orders authorizing the issuance of bonds of the county as follows:

Order authorizing
\$110,000 funding
bonds.

(1) An order authorizing one hundred ten thousand dollars (\$110,000.00) funding bonds for the purpose of funding a like amount of the principal of valid subsisting note indebtedness of the county maturing on March first, one thousand nine hundred and thirty-seven and extensions and renewals thereof and evidenced by the following:

\$20,000 note dated November 2, 1936.

\$90,000 note dated December 15, 1936.

(2) An order authorizing thirty thousand dollars (\$30,000.00) funding bonds for the purpose of funding a like amount of the principal of valid subsisting note indebtedness of the county described as follows:

Order authorizing
\$30,000 funding
bonds.

Date of Notes	Names of Payees	Amounts
Jan. 20, 1923	J. G. Clark	\$ 900.00
July 10, 1926	G. R. Morgan	100.00
Jan. 16, 1923	Mrs. M. R. Patterson	2,000.00
Jan. 20, 1923	Oliver Clark	425.00
Jan. 4, 1923	H. E. Kirkpatrick	1,000.00
Feb. 1, 1927	W. J. Turner	200.00
Aug. 6, 1923	H. E. Kirkpatrick	250.00
Aug. 8, 1926	John M. Thompson	430.00
Aug. 8, 1927	John M. Thompson	70.00
Sept. 2, 1929	Cross Roads Cemetery, J. H. Tate, Treasurer	5,045.00
Mar. 4, 1929	Cross Roads Cemetery, Will Garrison, Treasurer	300.00
Sept. 6, 1930	Miss Josephine McAdams	1,000.00
Sept. 12, 1930	J. G. Clark	1,000.00
Mar. 20, 1926	Oliver Clark	350.00
Mar. 23, 1923	Oliver Clark	250.00
Mar. 23, 1923	J. G. Clark	250.00
Apr. 1, 1925	H. E. Kirkpatrick	800.00
Apr. 8, 1930	Miss Neva Vincent	100.00
Apr. 18, 1922	R. L. Somers	1,000.00
Apr. 12, 1921	Miss Ruth Aldridge	500.00
Apr. 12, 1921	Mrs. Minnie G. Aldridge	400.00
Apr. 17, 1926	Miss Jessie Stockard	400.00
Apr. 20, 1920	G. R. Morgan	200.00
Apr. 21, 1926	R. L. Somers	1,000.00
Nov. 1, 1923	Mrs. M. R. Patterson	845.78
Nov. 1, 1923	Union Ridge Christian Church	500.00
Nov. 13, 1920	W. C. Sartin	1,000.00
May 1, 1925	R. L. Somers	1,000.00
June 2, 1924	McBride Holt	1,000.00
Dec. 3, 1923	Mrs. M. A. Walker	500.00
Dec. 5, 1924	R. L. Somers	1,000.00
Dec. 17, 1926	Elizabeth Cantrell	50.00
Dec. 11, 1926	Thomas A. Burke	3,000.00
Dec. 14, 1926	H. E. Kirkpatrick	600.00
June 20, 1923	Oliver Clark	325.00
June 21, 1926	Oliver Clark	250.00
Jan. 1, 1923	National Bank of Alamance, Trustee	2,000.00
Jan. 5, 1920	W. C. Sartin	1,000.00
July 2, 1923	H. E. Kirkpatrick	350.00

Dec. 3, 1923	H. E. Kirkpatrick	400.00
July 5, 1924	H. E. Kirkpatrick	600.00
Mar. 9, 1926	Mrs. C. N. Morrow	650.00
Total		\$33,040.78

and

Note indebtedness
incurred for
necessary expenses.

\$20,000 note
executed to pay
principal, etc. on
bonds to provide
County court
house, etc.

\$90,000 note
indebtedness in-
curred.

Note indebted-
ness for con-
struction of roads
and bridges

Orders and
proceedings of
Commissioners,
Alamance County,
authorizing fund-
ing bonds,
validated.

Board authorized
to issue bonds.

Whereas, the note indebtedness to be funded by the funding bonds mentioned in paragraph (1) of the foregoing preamble was legally incurred for the following purposes, all constituting necessary expenses of the county:

The indebtedness evidenced by the twenty thousand dollar (\$20,000.00) note dated November second, one thousand nine hundred and thirty-six was originally incurred on July first, one thousand nine hundred and thirty-two for the purpose of paying the principal of and interest on bonds of the county which became due on July first, one thousand nine hundred and thirty-two and August first, one thousand nine hundred and thirty-two, such bonds having been issued for the construction of the county court house and county jail, for the construction of roads in said county, and for the maintenance of the constitutional six months' school term in the county.

The indebtedness evidenced by the ninety thousand dollar (\$90,000.00) note dated December fifteenth, one thousand nine hundred and thirty-six was originally incurred prior to January first, one thousand nine hundred and thirty-one for the maintenance of the constitutional six months' school term in the county and for the construction of roads in said county, and for the payment of the principal of and interest on bonds of the county theretofore issued for the same purposes. And said indebtedness incurred for the maintenance of the constitutional six months' school term was incurred by the Board of Commissioners of Alamance County acting as an administrative agent of the state in providing a state system of public schools; and

Whereas, the note indebtedness to be funded by the funding bonds mentioned in paragraph (2) of the first preamble above was legally incurred for the construction of roads and bridges in such county, all constituting necessary expenses of the county; *Now, Therefore*,

The General Assembly of North Carolina do enact:

SECTION 1. The bond orders mentioned in the foregoing preambles, authorizing one hundred ten thousand dollars (\$110,000.00) funding bonds and thirty thousand dollars (\$30,000.00) funding bonds of Alamance County, North Carolina, and the publications of said bond orders, and all proceedings of the Board of Commissioners of said county, up to and including the final passage of said bond orders, be and the same are hereby validated and confirmed, and the Board of Commissioners of said county is hereby authorized and empowered to issue at one time or from time to time, in accordance with the provisions

of the County Finance Act, as amended, and the Local Government Act, as amended, negotiable bonds of the county for the purpose of funding a like amount of the principal of the outstanding note indebtedness heretofore incurred and described in said bond orders, and all of said indebtedness is hereby validated and confirmed and declared to be valid subsisting indebtedness of said county, created for necessary expenses and for special purposes with the special approval of the General Assembly.

Indebtedness to
be funded
validated.

SEC. 2. In each year while any of the funding bonds issued hereunder and in accordance with the provisions of said bond orders shall be outstanding, there shall be levied upon all taxable property in the county a special tax sufficient to pay the interest on said bonds as the same shall fall due and also sufficient to provide for the creation of a special fund for the payment of the principal of said bonds at or before their maturity, which tax shall be in addition to all other taxes authorized or limited by law. The General Assembly does hereby give its special approval to the levy of said tax for said special purposes.

Special tax levy
to pay bonds.

Legislative approval.

SEC. 3. Any action or proceeding in any court to set aside either of said bond orders or to obtain any other relief upon the ground that such bond order is invalid, or that the notes to be funded are invalid, and any action or proceeding in any court to restrain or enjoin the levy of the special tax provided for hereinabove and in said bond orders, must be commenced within thirty days after the ratification of this Act. After the expiration of said period of limitation, no right of action or defense founded upon the invalidity of either of such bond orders or questioning the power or the authority to levy the special tax provided for hereinabove and in said bond orders, shall be asserted, nor shall the validity of either of such bond orders or the power or authority to levy said tax be open to question in any court upon any ground whatever, except in an action or proceeding commenced within such period.

Time limitation
on actions to in-
validate or restrain.

SEC. 4. The powers granted by this Act are granted in addition to and not in substitution for existing powers of Alamance County.

Powers granted in
addition to
existing powers.

SEC. 5. This Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 27th day of February, A.D. 1937.

S. B. 140

CHAPTER 130

AN ACT TO PROHIBIT THE MANUFACTURE, PURCHASE, SALE, DEALING IN, TRANSPORTATION, POSSESSION, ADVERTISEMENT AND USE OF PYROTECHNICS IN FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

Pyrotechnics prohibited in Forsyth County.

Use at public exhibitions provided for.

Permit required.

County of delivery of pyrotechnics deemed place of sale.

Possession prima facie evidence pyrotechnics kept for purpose of violating act.

Issuance of permits for public exhibitions.

Applications.

"Pyrotechnics" defined.

Explosives used in ordinary business, firearms shells, etc. exempted.

SECTION 1. That it shall be unlawful for any individual, firm, partnership or corporation to manufacture, purchase, sell, deal in, transport, possess, advertise, use or cause to be discharged any pyrotechnics of any description whatsoever within Forsyth County: *Provided*, however, that it shall be permissible for pyrotechnics to be exhibited, used or discharged at public exhibitions, such as fairs, carnivals, shows of all descriptions and public celebrations: *Provided, further*, that the use of said pyrotechnics in connection with public exhibitions, such as fairs, carnivals, shows of all descriptions and public celebrations, shall be under supervision of experts who have previously secured a permit from the county, city or municipality in which said pyrotechnics are to be exhibited, used or discharged.

SEC. 2. That in case of sale or purchase of pyrotechnics where the delivery thereof was made by a common or other carrier, the sale shall be deemed to be made in the county wherein the delivery was made by such carrier to the consignee.

SEC. 3. That possession of pyrotechnics by any person, for any purpose other than those permitted under this Act, shall be prima facie evidence that such pyrotechnics are kept for the purpose of being sold, bartered, exchanged, given away, furnished, otherwise disposed of, or used in violation of the provisions of this Act.

SEC. 4. That for the purpose of enforcing the provisions of this Act, the sheriff of Forsyth County and the chiefs of police in all cities and towns within Forsyth County are hereby empowered and authorized to issue permits for use in connection with the conduct of public exhibitions, such as fairs, carnivals, shows of all descriptions and public celebrations, but only after satisfactory evidence is produced to the effect that said pyrotechnics will be used for the aforementioned purposes and none other. Any person desiring to secure a permit as aforementioned shall make application to the sheriff of Forsyth County in which said pyrotechnics are to be used or to the chief of police of the municipality in which said pyrotechnics are to be used.

SEC. 5. That for the proper construction of the provisions of this Act, the word "pyrotechnics" as is herein used shall be deemed to be and include any and all kinds of fireworks and explosives, which are used for exhibitions or amusement purposes: *Provided*, however, that nothing herein contained shall prevent the manufacture, purchase, sale, transportation and use of explosives used in the course of ordinary business or industry, or shells or cartridges used as ammunition in firearms.

SEC. 6. That any person violating any of the provisions of this Act, except as otherwise specified in said Act, shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, or both, in the discretion of the court.

Violation made
misdemeanor.

SEC. 7. If any clause, sentence, paragraph, or part of this Act shall for any reason be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such judgment shall not affect, impair, or invalidate the remainder of this Act, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Partial invalidity
clause.

SEC. 8. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws
repealed.

SEC. 9. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 27th day of February, A.D. 1937.

S. B. 152

CHAPTER 131

AN ACT TO PROHIBIT THE SALE OF FIREWORKS IN JACKSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm or corporation to sell or offer for sale, shoot, fire, discharge, display, or otherwise use or have possession of any fire crackers, torpedoes, cap pistols, sky rockets, Roman candles or other articles commonly known as fireworks in the County of Jackson: *Provided, however,* that for the purpose of enforcing the provisions of this Act the sheriff of the county and the chief of police in all municipalities within the county are hereby empowered and authorized to issue permits for use in connection with the conduct of public exhibitions, such as fairs, carnivals, shows of all descriptions and public celebrations, but only after satisfactory evidence is produced to the effect that said pyrotechnics will be used for the aforementioned purpose and none other. Any person desiring to secure a permit as aforementioned, shall make application to the sheriff of said county or to the chief of police of the municipality in which said pyrotechnics are to be used.

Sale, use, etc.
of fireworks in
Jackson County
prohibited.

Permits authorized
for public
exhibitions.

Applications for
permits.

SEC. 2. That any person violating the provisions of this Act shall be punishable by a fine not exceeding fifty (\$50.00) dollars or imprisonment not exceeding thirty days.

Punishment for
violations.

SEC. 3. That this Act shall only apply to Jackson County.

Applies only to
Jackson County

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws
repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 27th day of February, A. D. 1937.

S. B. 154

CHAPTER 132

AN ACT TO NAME AN ELECTION BOARD FOR THE CITY OF ASHEVILLE AND PROVIDE FOR THE PROPER REGISTRATION OF THE VOTERS.

The General Assembly of North Carolina do enact:

Ch. 30, Private Laws, 1935 amended, to re-name members of Board of Elections of Asheville.

Vacancy appointments.

Sections 68, 69, 70, Ch. 30, Private Laws, 1935, repealed.

Use of 1936 registration books in future City elections.

Delivery of books to proper officials for purpose of further registrations.

Deemed books for City election and general state and county elections.

Conflicting laws repealed.

SECTION 1. That section sixty-six of chapter thirty of the Private Laws of one thousand nine hundred and thirty-five be, and the same is, amended by striking out the names of the persons therein contained and naming in lieu thereof, "Worth McKinney, Clyde Bradley and L. Cary Roberson," who shall constitute the Board of Elections for the City of Asheville, and in case of the resignation, death or removal of any member herein named the Governing Body of the City of Asheville shall appoint the successor.

SEC. 2. That sections sixty-eight, sixty-nine and seventy of said chapter thirty, aforesaid, be, and the same are hereby, repealed.

SEC. 3. That at the next general election in the City of Asheville, to be held on the second Tuesday in May, one thousand nine hundred and thirty-seven, and at all future elections held in said city, the registration books used in the general state, county and national election in November one thousand nine hundred and thirty-six shall be, and the same are hereby, declared to be the registration books for the respective precincts in said city; that the custodian of said registration books shall turn the same over to the proper city election officials, for the purpose of holding the city election and for the purpose of permitting registration at the time required by law, and all persons who shall register for the said city election when said books are in the hands of said city registrars, shall be deemed to be registered upon said books both for the said city election and for the general state and county elections thereafter. That immediately following the elections held in the said City of Asheville said registration books shall be returned to the custody of the proper officials as provided by the general election law.

SEC. 4. That this Act shall be in full force and effect from and after its ratification, hereby repealing all laws and clauses of laws in conflict herewith.

In the General Assembly read three times and ratified, this the 27th day of February, A. D. 1937.

S. B. 188

CHAPTER 133

AN ACT TO EXTEND THE POWER AND AUTHORITY OF
THE POLICE OFFICERS OF THE TOWN OF TARBORO.*The General Assembly of North Carolina do enact:*

SECTION 1. That chapter three hundred fourteen, Private Laws of one thousand nine hundred and nine, be amended by adding immediately after section thirty-eight thereof a new section to be designated "Sec. 38 A," as follows:

Ch. 314, Private Laws, 1909, amended.

"That the police officers of the Town of Tarboro shall have the same powers and authority within the corporate limits of the Town of Princeville, Edgecombe County, as they now have or may now or hereafter legally exercise within the corporate limits of the Town of Taboro."

Authority within corporate limits of Princeville granted to police officers of Tarboro.

SEC. 2. That all provisions of law now existing which are in conflict with the provisions of section one are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 27th day of February, A.D. 1937.

S. B. 189

CHAPTER 134

AN ACT GRANTING SPECIAL POWER TO THE TOWN OF
TARBORO TO SELL AND LEASE A PORTION OF THE
TOWN COMMONS.*The General Assembly of North Carolina do enact:*

SECTION 1. That the Town of Tarboro is hereby authorized and empowered to sell or lease, with or without consideration, at public or private sale, any portion, not exceeding one acre, of that part of the "Town Common" which lies north of Wilson Street, south of Park Avenue, west of Main Street and east of Albemarle Avenue, to any person, firm, association or corporation, for the erection, maintenance and operation of a public library building; provided, that any lease or deed made in pursuance hereof shall provide that the estate so granted shall terminate whenever ground and building shall cease to be operated for the purpose granted.

Town of Tarboro authorized to sell or lease not over one acre of "Town Common" for public library building.

SEC. 2. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 27th day of February, A.D. 1937.

Estate granted to terminate when premises cease to be used for said purpose.

H. B. 15

CHAPTER 135

AN ACT TO ALLOW POOL OR BILLIARD PARLORS TO BE OPERATED IN CHEROKEE COUNTY AND CLAY COUNTY.

The General Assembly of North Carolina do enact:

License required to operate pool rooms, etc. Cherokee County.

Licensing powers given Towns of Andrews, Marble, Murphy within respective limits.

Given Cherokee County as to other places.

License required before operation.

Applications.

If applicant found of good moral character, license issued without discretion.

License not transferable.

Regulations as to operation.

Usual Schedule B license required.

Violation made misdemeanor.

SECTION 1. That it shall be lawful for pool rooms and billiard parlors to be operated in Cherokee County, North Carolina, by any person, firm or corporation who shall have applied for and obtained the license hereinafter provided.

SEC. 2. That the towns of Andrews, Marble and Murphy, through their respective governing bodies, shall have the licensing and regulation of pool rooms and billiard parlors within their respective corporate limits, and the Board of County Commissioners of Cherokee County shall have the licensing and regulation of pool rooms and billiard parlors at all other places in Cherokee County.

SEC. 3. That before any person, firm or corporation shall operate a pool room or billiard parlor in Cherokee County he shall apply to the governing board having jurisdiction as above designated for a license for such operation, setting forth the name of the individual, firm or corporation in whose name the same is proposed to be operated, together with the name of the person or persons to be in active charge or management of such pool room or billiard parlor; and if the individual or individuals named in the application for license who is to be in active charge and management of such pool room or billiard parlor shall be found by such board to be of good moral character then the board shall be without discretion to refuse a license, but if any such person be found in the opinion of said board not to be of good moral character it may refuse such license; that said license shall not be transferable, and no change shall be made in the person in the active charge and management of said pool room or billiard parlor without the consent in writing of the said board having jurisdiction.

SEC. 4. That no pool room or billiard parlor shall be operated on Sunday, nor after eleven o'clock at night, nor shall any person under the age of eighteen years be permitted to play at pool or billiards or hang out, loiter or loaf in any pool room or billiard parlor.

SEC. 5. That in addition to the license hereinbefore provided any person, firm or corporation operating a pool room or billiard parlor in Cherokee County shall also apply for and obtain the usual Schedule B license applicable to counties, cities, and towns, as provided by the general law.

SEC. 6. Any person, firm or corporation violating any of the provisions of this Act shall be guilty of a misdemeanor and fined not exceeding fifty dollars or imprisoned not exceeding thirty days, and upon any such conviction and before any appeal

in such case shall have been decided, if such appeal be taken, the respective board having jurisdiction shall have full power and authority to revoke the license theretofore granted for the conduct of such pool room or billiard parlor.

Revocation of license.

SEC. 7. That this Act shall apply only to Cherokee County.

Applies only to Cherokee County.

SEC. 8. All laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 9. That this Act shall be in force and effect from and after the date of its ratification.

In the General Assembly read three times and ratified, this the 27th day of February, A. D. 1937.

H. B. 89

CHAPTER 136

AN ACT TO PROVIDE FOR THE NOMINATION OF THE BOARD OF EDUCATION AND BOARD OF COUNTY COMMISSIONERS OF ONSLOW COUNTY BY THE VOTERS OF THE TOWNSHIP IN WHICH THE CANDIDATE RESIDES.

The General Assembly of North Carolina do enact:

SECTION 1. That at the primary to be held in Onslow County in June, one thousand nine hundred and thirty-eight for the nomination of county officers, and biennially thereafter, there shall be nominated by the voters in each of the five townships in said county one member of the Board of Education and one member of the Board of County Commissioners, who shall be elected in the manner now provided by law.

Nomination of members, Board of Education, Board of Commissioners, Onslow County.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 27th day of February, A. D. 1937.

H. B. 218

CHAPTER 137

AN ACT TO AMEND CHAPTER TWO HUNDRED AND EIGHTY-SIX, PUBLIC-LOCAL LAWS ONE THOUSAND NINE HUNDRED THIRTY-THREE, RELATIVE TO THE FEES OF OFFICERS OF CATAWBA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred eighty-six, Public-Local Laws, one thousand nine hundred thirty-three, be, and the same is hereby amended by striking out all of said chapter after the word "therefor" in line three of section one of said Chapter and inserting in lieu thereof the following:

Ch. 286, Public-Local Laws, 1933, amended.

Commissioners,
Catawba County,
authorized to fix
salary of C. S. C.

Limitation.

Additional salary
as Clerk of
Recorder's Court.

Additional salary
as Judge of
Juvenile Court.

Assistant Clerk
authorized.

Salary.

Deputy Clerk or
stenographer au-
thorized.

Salary.

Powers of
Deputy Clerk.

Commissioners,
Catawba County,
authorized to fix
salary of Register
of Deeds.

Limitation.

Appointment of
deputy authorized.

Salary.

Powers and
duties.

Commissioners
given discretion
as to pay for
additional clerical
assistance.

Commissioners,
Catawba County,
authorized to fix
Sheriff's salary.

Limitation.

Compensation
of deputy.

"(a) The Clerk of the Superior Court of Catawba County shall receive for his services as clerk of said court a salary, to be fixed by the Board of Commissioners of said county, of not less than two thousand five hundred dollars, nor more than three thousand five hundred dollars per annum, payable monthly; and for his services as Clerk of the Recorder's Court of said county he shall receive a salary of not less than fifty dollars nor more than sixty dollars per month; and for his services as Judge of the Juvenile Court he shall receive a salary of not less than fifteen dollars nor more than twenty-five dollars per month, all to be paid by the county.

The Clerk of the Superior Court of Catawba County shall be allowed to appoint an assistant or deputy clerk, subject to the provision of the general law as to the appointment, qualification, powers and duties of such assistant or deputy clerk, who shall be paid by the county for his or her services a salary, to be fixed by the Board of Commissioners of said county, of not less than ninety dollars nor more than one hundred fifty dollars per month. The Board of County Commissioners may authorize the Clerk of the Superior Court to appoint a deputy clerk or stenographer, who shall be paid by the county for his or her services a salary, to be fixed by the Board of Commissioners of said county, of not less than sixty dollars nor more than eighty-five dollars per month, and if said Clerk of the Superior Court shall appoint a deputy clerk as herein allowed, said deputy shall possess all the powers and duties conferred, and be subject to all the liabilities imposed upon deputy clerks by the general law.

(b) The Register of Deeds of Catawba County shall receive for his services a salary, to be fixed by the Board of Commissioners of Catawba County, of not less than two thousand five hundred dollars nor more than three thousand five hundred dollars per annum, payable monthly by the county.

The Register of Deeds of Catawba County shall be allowed to appoint a deputy or stenographer, who shall be paid by the county for his or her services a salary, to be fixed by the Board of Commissioners of said county, of not less than seventy-five dollars nor more than one hundred twenty-five dollars per month; said deputy shall possess all the powers and duties conferred upon, and be subject to all the liabilities imposed upon, deputy Registers of Deeds by the general law.

The Board of County Commissioners of Catawba County may, in its discretion, allow and pay such sums as it may deem proper for additional clerical assistance in the office of the Register of Deeds of Catawba County.

(c) The Sheriff of Catawba County shall receive a salary, to be fixed by the Board of Commissioners of Catawba County, of not less than three thousand dollars nor more than three thousand five hundred dollars per annum, payable monthly by the county. The compensation of one deputy or clerk employed in the office of said sheriff shall be fixed annually by the Board of

County Commissioners, which compensation shall be paid by the county out of funds from the general fund.

The county shall pay the sheriff's actual expenses for conveying prisoners to the prison camps or state's prison; for taking insane persons to or from the State Hospitals; and it shall be the duty of the sheriff to render to the Board of County Commissioners a statement of expenses herein provided for, monthly, giving the date and purpose for which it was incurred, and if satisfied the amount is correct, the county commissioners shall order same paid out of the funds in the general fund."

SEC. 2. That chapter forty-seven, Public-Local Laws nineteen hundred and twenty-one, be, and it is hereby repealed, as well as all other conflicting laws.

SEC. 3. That chapter one hundred and twenty-six, Public-Local Laws nineteen hundred and twenty-five, be, and it is hereby repealed, as well as all other conflicting laws.

SEC. 4. That chapter two hundred and eighty-six, Public-Local Laws nineteen hundred thirty-three, be, and it is hereby repealed, as well as all other conflicting laws.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 27th day of February, A. D. 1937.

Expenses for conveying prisoners to camps, etc. to be paid by County.

Statement of expenses.

Payment.

Ch. 47, Public-Local Laws, 1921, and other conflicting laws repealed.

Ch. 126, Public-Local Laws, 1925, repealed.

Ch. 286, Public-Local Laws, 1933, repealed.

H. B. 247

CHAPTER 138

AN ACT TO AUTHORIZE AN ELECTION IN BURKE COUNTY UPON THE QUESTION OF ASSUMPTION BY THE COUNTY OF ALL TOWNSHIP ROAD BONDS.

Whereas, several townships in Burke County issued bonds for the improvement of roads and highways, the respective proceeds of which were expended in the respective townships on roads and highways which were taken over by the County Highway Commission and which were thereafter incorporated in the state's system of county highways; *Now, Therefore*,

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Burke County is hereby authorized and empowered to call an election for the purpose of determining the sense of the voters on the question of assumption by Burke County of all road bonds issued by townships in said county which may be outstanding at the time of said election.

SEC. 2. That, except as herein provided, said election shall be called and conducted in accordance with the laws of North Carolina governing elections on bond orders authorizing the issue of county bonds, and it shall be lawful to vote on other matters at said election.

Preamble: Issue of Road Bonds, by townships in Burke County.

Election authorized as to assumption by Burke County of road bonds issued by townships.

Laws governing election.

Form of ballots.

SEC. 3. At said election voters favoring assumption of said Township Road Bonds by Burke County shall vote a ballot on which is written or printed "For assumption of Township Road Bonds by Burke County and levy of a county-wide tax therefor." Voters opposed to said assumption shall vote a ballot on which is written or printed "Against assumption of Township Road Bonds by Burke County and levy of a county-wide tax therefor." Such affirmative and negative forms may be printed upon separate ballots, or both may be printed on the same ballot containing squares opposite the affirmative and negative forms, in one of which squares the voter may make a mark ("X").

If majority votes for assumption, Burke County Commissioners directed to provide for payment of bonds.

SEC. 4. That if a majority of the qualified voters voting in said election shall vote in favor of said assumption, then it shall be the duty of the Board of County Commissioners of Burke County to include in the annual county budget, beginning with the fiscal year next succeeding such election, a sum sufficient to meet such payments: *Provided*, that said board shall have the same power and authority to refund said bonds as it has to refund other indebtedness of the county. Taxes levied under the terms of this Act are hereby declared to be for the special purpose within the meaning of section six of article five of the Constitution of North Carolina, and the levy of said taxes for said special purpose is hereby given the special approval of the General Assembly.

Power to refund bonds.

Taxes levied declared within meaning Sec. 6, Art. V. N. C. Constitution.

SEC. 5. That upon such assumption of said indebtedness by the county, all funds on hand for the payment of principal and interest of such indebtedness, and all funds subsequently collected from taxes already levied in said townships on account of such indebtedness, shall be paid over to Burke County and used to reduce the amount of the county-wide tax levy herein authorized.

Township funds from taxes levied payable to County.

Upon approval, Township bonded debt to become debt of County.

SEC. 6. That upon approval of said assumption of Township Road Bonds by Burke County, said indebtedness shall become, to all intents and purposes, indebtedness of Burke County; and it is hereby specifically declared that all payments on account of the principal of such indebtedness made after such assumption shall be construed as reduction of the outstanding indebtedness of said county within the meaning of section four of article five of the Constitution of North Carolina.

Payments reducing debt to be construed within meaning Sec. 4, Art. V. N. C. Constitution.

SEC. 7. That all laws and clauses of laws in conflict with this Act are hereby repealed in so far as they may apply to Burke County.

Conflicting laws repealed.

SEC. 8. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 27th day of February, A. D. 1937.

H. B. 248

CHAPTER 139

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF BURKE COUNTY TO FUND OUTSTANDING TAX ANTICIPATION NOTES.

Whereas, on the eighteenth day of December one thousand nine hundred and twenty-eight, a former Board of Commissioners of Burke County did issue a Tax Anticipation Note in the sum of thirty thousand dollars (\$30,000.00), bearing interest at the rate of six per cent per annum; and

Whereas, on the twenty-ninth day of January one thousand nine hundred and twenty-nine, the said former Board of Commissioners of Burke County did issue a Tax Anticipation Note in the sum of twenty thousand dollars (\$20,000.00), bearing interest at the rate of six per cent per annum; and

Whereas, the First National Bank of Morganton, North Carolina purchased said Tax Anticipation Notes and has permitted their renewal from time to time, and the last renewal of said notes will be due on the thirtieth day of March, one thousand nine hundred and thirty-seven; that for the past several years former Boards of County Commissioners of Burke County have renewed these said notes, and made no provision for their retirement, and the First National Bank of Morganton has voluntarily reduced the interest rate on said notes to five per cent; the Board of County Commissioners feels, however, that some provision should be made for the liquidation of said debt over a period of years; *Now, Therefore*,

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Burke County be, and they are hereby authorized and empowered to fund said Tax Anticipation Notes aggregating fifty thousand dollars (\$50,000.00) and bearing interest at the rate of five per cent per annum, by issuing ten funding notes of the denomination of five thousand dollars (\$5,000.00) each, interest payable semi-annually at the rate hereinafter provided for, to be dated March thirtieth, one thousand nine hundred and thirty-seven, and due and payable as follows:

One \$5,000 note due March 30, 1938, bearing interest at the rate of 3½% per annum,

One \$5,000 note due March 30, 1939, bearing interest at the rate of 3½% per annum,

One \$5,000 note due March 30, 1940, bearing interest at the rate of 3½% per annum,

One \$5,000 note due March 30, 1941, bearing interest at the rate of 4% per annum,

One \$5,000 note due March 30, 1942, bearing interest at the rate of 4% per annum,

Preamble: \$30,000 tax anticipation note issued by Commissioners, Burke County in 1928.

\$20,000 tax anticipation note issued in 1929.

Notes renewed from time to time.

Last renewal of notes due March 30, 1937.

No provision for retirement of debt.

Need for provision for liquidation of debt.

Commissioners, Burke County, authorized to fund tax anticipation notes.

Ten funding notes authorized.

Due dates, interest rate, etc.

One \$5,000 note due March 30, 1943, bearing interest at the rate of 4% per annum,

One \$5,000 note due March 30, 1944, bearing interest at the rate of 5% per annum,

One \$5,000 note due March 30, 1945, bearing interest at the rate of 5% per annum.

One \$5,000 note due March 30, 1946, bearing interest at the rate of 5% per annum,

One \$5,000 note due March 30, 1947, bearing interest at the rate of 5% per annum.

Issuance of notes authorized upon approval by Local Government Commission.

Exchanged at par for notes due March 30, 1937, upon holders' consent.

Execution.

Tax levy authorized for payment of notes.

Conflicting laws repealed.

SEC. 2. That the Board of County Commissioners of Burke County is hereby empowered to authorize by resolution the execution and issuance of said notes upon approval thereof by the Local Government Commission, and said notes shall be exchanged, pursuant to the local government Act, par for par for the said tax anticipation notes maturing March thirtieth one thousand nine hundred and thirty-seven, upon consent of the holders thereof. Said funding notes shall be executed on behalf of the county by the Chairman of the Board of County Commissioners, attested by the clerk of said Board of County Commissioners and the seal of the county shall be impressed thereon.

SEC. 3. That for the payment of principal and interest of said funding notes herein authorized, as the same fall due, the Board of County Commissioners shall annually levy a tax on all taxable property in Burke County.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 27th day of February, A. D. 1937.

H. B. 254

CHAPTER 140

AN ACT TO PROVIDE FOR A FEE TO BE PAID TO THE SHERIFF OF CASWELL COUNTY FOR THE ARREST AND CONVICTION OF TOBACCO THIEVES.

The General Assembly of North Carolina do enact:

Fee to Sheriff, Caswell County, for arrest and conviction of tobacco thieves.

SECTION 1. That upon the arrest and conviction of any person or persons who enter upon the premises of another in Caswell County with intent to take or steal, and who do take or steal any flue cured tobacco before the same can be marketed, or who have in their possession any stolen tobacco, the Board of County Commissioners of Caswell County shall pay to the officer or officers, upon the certification to said board, by the Clerk of the Superior Court of Caswell County of such conviction, the sum of fifty dollars (\$50.00) for such arrest and con-

viction: *Provided*, that only one fee of fifty dollars (\$50.00) shall be paid to said officer or officers in any one case. That said fee shall be paid from and out of the general county funds.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed in so far as they affect this Act.

Conflicting laws
repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 27th day of February, A. D. 1937.

H. B. 261

CHAPTER 141

AN ACT RELATING TO DUTIES AND COMPENSATION OF
THE CLERK OF THE SUPERIOR COURT OF HYDE
COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapters two hundred and twenty and three hundred and forty of the Public-Local Laws of one thousand nine hundred and thirty-five, be, and the same are hereby repealed, and the duties of the Clerk of the Superior Court of Hyde County shall be such as are prescribed by law for the clerks of the court of the various counties of the state.

Chs. 220 and
340, Public-
Local Laws,
1935, repealed.

Duties of C. S. C.,
Hyde County.

SEC. 2. That the Board of Commissioners of Hyde County are hereby authorized and directed to pay to the Clerk of the Superior Court of said county the sum of one hundred dollars for holding each term of Superior Court.

Compensation of
C. S. C. Hyde
County.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws
repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 27th day of February, A. D. 1937.

H. B. 296

CHAPTER 142

AN ACT TO EXTEND THE TIME FOR TAX FORECLOSURE SALES IN TYRRELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the time for tax foreclosure sales in Tyrrell County for the year one thousand nine hundred and thirty-three, and years prior thereto, be, and the same is hereby extended to the first day of October, one thousand nine hundred and thirty-seven.

Time extended for
tax foreclosure
sales, Tyrrell
County, for 1933
and prior years.

Conflicting laws
repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 27th day of February, A. D. 1937.

H. B. 310

CHAPTER 143

AN ACT TO EMPOWER THE GOVERNING BODY OF THE TOWN OF MOUNT HOLLY, GASTON COUNTY, TO RELIEVE CHURCHES AND CHURCH PROPERTIES OF STREET AND SIDEWALK PAVING ASSESSMENTS.

The General Assembly of North Carolina do enact:

Town of Mount
Holly, Gaston
County, authorized
to relieve churches
of paving
assessments.

SECTION 1. That the governing body of the Town of Mount Holly, Gaston County, is hereby authorized and empowered to relieve local churches and church properties used exclusively for church purposes of street and sidewalk paving assessments now, or which may be hereafter charged against said churches.

Property not
exclusively used
for church purposes
not exempt.

SEC. 2. That this Act shall not apply to church owned property which is not used exclusively for church purposes.

Act not applicable
to church property
transferred.

SEC. 3. That this Act shall not apply to property transferred by churches.

Conflicting laws
repealed.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 5. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 27th day of February, A. D. 1937.

H. B. 319

CHAPTER 144

AN ACT TO AMEND CHAPTER ONE HUNDRED AND SEVEN OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-ONE AND ALL ACTS AMENDATORY THEREOF RELATING TO THE CITY CHARTER OF THE CITY OF HIGH POINT AND TO CREATE A CIVIL SERVICE COMMISSION OF THE CITY OF HIGH POINT.

The General Assembly of North Carolina do enact:

SECTION 1. That section eight of article three of chapter one hundred and seven of the Private Laws of one thousand nine hundred and thirty-one, be, and the same is hereby amended to read as follows:

Ch. 107, Private
Laws, 1931,
amended.

"SEC. 8. The governing body of the City of High Point shall have and shall continue to maintain and operate the following departments: I. Department of General Government which shall include a public library; II. Department of Law which shall include the City Attorney; III. Department of Finance which shall include the following divisions: Accounting, Collections, and Treasurer and Purchases; IV. Department of Public Safety which shall include the following divisions: Police, Fire, Inspections and Jail; V. Department of Public Works, which shall include the following divisions: Administrative, Engineering, Highway, Public Buildings, Sanitation, Shops and Cemetery; VI. Department of Public Welfare which shall include the following divisions: Health and Parks and Recreation; VII. Department of Utilities which shall include the following divisions: Administrative, Abattoir, Sewer, Water and Electric; and said governing body shall define the duties of each of said departments and its scope of operations. The said governing body may also create or abolish such other departments, divisions or bureaus, and offices as may be necessary for the efficient conduct of the city's affairs and shall fix the salaries of all heads of departments and/or divisions, officers and employees of the city: *Provided*, that the governing body shall not abolish any of the departments, divisions or bureaus, boards or commissions provided by the charter of the said city, as amended by this Act, and shall not reduce the personnel of such departments, divisions, bureaus or commissions more than fifteen (15) per centum, and no department director or division head may be removed except as otherwise provided in sections thirteen, fifteen and twenty-one of article fourteen of this Act; nor shall the said governing body reduce the wages or salaries paid department directors, division heads, or any employees of the departments and divisions established by this Act more than fifteen (15) per centum of the amount of wages or salaries which such employees were receiving on the first day of January, one thousand nine hundred and thirty-seven."

SEC. 2. That chapter one hundred and seven of the Private Laws of one thousand nine hundred and thirty-one and all acts amendatory thereof, be, and the same are hereby amended by adding at the end of article five thereof the following:

"Sec. 4. Such officers and employees as are appointed on a competitive basis under the civil service provisions of this Act shall be appointed in accordance with such civil service provisions; no such appointment shall be approved by the City Council; and such employees shall be removed only in accordance with such civil service provisions."

SEC. 3. That chapter one hundred and seven of the Private Laws of one thousand nine hundred and thirty-one and all acts amendatory thereof, be, and the same are hereby further amended by adding thereto the following:

"Article XIV—Civil Service.

Departments
maintained.

General government.

Law.

Finance.

Public Safety.

Public Works.

Public Welfare.

Utilities.

Duties defined by
governing body.

May create or
abolish other
departments, etc.

Abolition of charter
departments pro-
hibited.

Personnel not to
be reduced more
than 15 percent.

Removal of dept.
director.

Salary reductions.

Art. 5, Ch. 107,
Private Laws,
1931, amended.

Appointment and
removal of officers
and employees.

Ch. 107, Private
Laws, 1931,
amended further.

High Point Civil Service Commission of five members created.

Appointment of members.

Terms.

Each of two major political parties entitled to one member.

Election of chairman.

Secretary appointed.

City Manager and Mayor to be notified when organization completed.

Compensation of members.

Salary of secretary.

Qualifications of members and secretary.

Oath.

Quorum.

Majority of membership necessary to decide any matter.

Rules of procedure.

Chairman may vote.

Vacancy appointments.

Rules of Commission.

Effect.

Provisions of rules.

"SECTION 1. There is hereby created a Civil Service Commission of the City of High Point which commission shall be composed of five (5) members who shall be appointed by the Council of the City of High Point within five (5) days after the ratification of this Act. The members of said commission shall serve terms of five (5) years each and at the end of said terms of office their successors shall be appointed by the Council of the City of High Point. Each of the two major political parties shall have at least one (1) member on said commission.

"SEC. 2. Within three (3) days after their appointment the five (5) commissioners shall meet and elect one of their number to act as chairman of said commission. The commission shall, as soon as may be possible after its organization is perfected, appoint a secretary and upon completion of its organization the commission shall notify the City Manager and the Mayor of the City of High Point that it is ready for the transaction of any and all business such as may be properly transacted by it.

"SEC. 3. The compensation of each member of the Civil Service Commission shall be two (\$2.00) dollars for each meeting of the commission attended. The secretary shall hold office at the pleasure of the commission and shall receive such salary as may be fixed by it: *Provided*, that such salary shall not exceed two hundred and fifty (\$250.00) dollars per month. The members of said commission and the secretary shall possess the general qualifications now required of an elector of the City of High Point, and shall take a similar oath (or affirmation) of office as is now required of city councilmen, to be administered by the judge of the Municipal Court of the City of High Point.

"SEC. 4. Any four (4) members of said commission shall constitute a quorum for the transaction of business. At any meeting of said commission a majority of the members of the commission shall decide any matter before the commission. The commission may adopt rules of procedure governing the conduct of its meetings in accordance with the provisions of this Act. The chairman of the commission shall have the right to vote upon any matter presented at any meeting. The commission shall prescribe rules governing the meetings of said commission. In case of the resignation or death of a member, a majority of the commission shall supply the vacancy and the member so supplied shall serve during the remainder of the term so vacated.

"SEC. 5. The Civil Service Commission shall make and amend rules for promoting efficiency in the classified service of the city and for the appointment, promotion, transfer, lay-off, reinstatement, suspension and removal of all officers and employees in such service; and such rules shall have the force and effect of law. The commission shall keep minutes of its proceedings and records of its examinations, and shall make investigations concerning the enforcement and effect of said rules. The rules, among other things, shall provide:

“(1) For the standardization and classification of all positions and employments in the classified service of the city. Such classifications into groups and subdivisions shall be based upon and graded according to the duties and responsibilities and so arranged as to promote the filling of the higher grades, so far as practicable, through promotions.

(1) Standardization and classification of positions and employments.

“(2) For open competitive examinations to ascertain the fitness of all applicants for appointments in the competitive class.

(2) Open competitive examinations.

“(3) For the creation of eligible lists upon which shall be entered the names of the successful applicants.

(3) Creation of eligible lists of successful applicants

“(4) For the rejection of applicants or eligibles who do not satisfy reasonable requirements as to age, sex, race, physical conditions and moral character or who have attempted deception or fraud in connection with any examination or their application therefor.

(4) Rejection of applicants or eligibles not meeting certain requirements.

“(5) For non-competitive examinations for appointments to positions designated by the City Manager and approved by the Civil Service Commission, requiring peculiar and exceptional qualifications of a scientific, managerial, professional or educational character, and providing for minimum experience requirements.

(5) Non-competitive examinations for appointments to certain positions.

“(6) For promotion based on examinations and upon records of efficiency, character, conduct and seniority.

(6) Promotion based on examinations, etc.

“(7) For suspension for purpose of discipline, with or without pay, for not longer than ninety days, and for leave of absence with or without pay.

(7) Suspension; leave of absence.

“SEC. 6. This Act shall include and apply to all employees of the City of High Point except the City Manager, Secretary to the City Manager, the Judge, Prosecuting Attorney, Clerk and Assistant Clerks of the Municipal Court, the City Clerk, the City Treasurer, the Judge of the Juvenile Court, and members of such boards and commissions as are now appointed by the City Council. These persons shall be appointed independently of the Civil Service Commission as now provided by law. This Act shall not apply in any manner to the Municipal Court of the City of High Point.

Employees subject to Act.

Exceptions.

Persons excepted appointed as now provided by law.

Act not applicable to Municipal Court.

“SEC. 7. This Act shall not apply to temporary employment, but such persons so employed shall not continue in such employment for more than ten (10) days without the approval of the Civil Service Commission. The City Council of the said City of High Point shall, by ordinance, establish a schedule of salaries and wages for employees in the classified service.

Temporary employment.

Salaries and wages for employees.

“SEC. 8. Nothing in this Act shall be construed to confer upon the Civil Service Commission the power to create any office, job, position or employment except as herein provided.

Power of Commission to create office, etc.

“SEC. 9. All applicants for positions in the classified service shall be subject to an examination by the Civil Service Commission, which examinations shall be free to all persons possessing the right of suffrage and meeting the requirements of said Commission, including reasonable and proper limitations as

Examinations.

Persons entitled to take examinations.

Nature of ex-
aminations.

to residence, age, health and moral character. The examinations shall be practical in their character and shall relate to those matters tending fairly to test the capacity and qualifications of the applicant to discharge proficiently the duties of the position to which they seek employment, and shall include examinations as to physical and mental qualifications as well as general fitness; but no applicant shall be examined concerning his or her political or religious opinions or affiliations. The said Civil Service Commission shall suggest such necessary and proper regulations relating to the morality, health and character of all applicants for positions with the city as it deems expedient, to the end that all persons certified by the Civil Service Commission to the City Manager as eligible for employment by said city shall be persons of good character as well as possessing the necessary mental and physical qualifications.

Forfeiture of right
of eligibility by
false statement.

"SEC. 10. Any applicant for any office or employment who shall knowingly make any false statement in connection with any test shall thereby forfeit his right to be entered upon the eligible register, and in case he has been appointed to an office or employment he shall forfeit it and shall not within three (3) years thereafter be eligible to appointment to any office or employment in the service of the city, nor shall he during that time be entitled to take any civil service examination.

Forfeiture of
employment.

Not eligible for
three years there-
after.

Gratuities prohibited.

"SEC. 11. No applicant for a civil service examination shall, either directly or indirectly, give, render or pay or promise to give, render or pay any money, service or other valuable thing to any person for or on account of, or in connection with, his examination, appointment or proposed appointment, nor shall he ask for or receive any recommendation or assistance from any person in the service of the city other than a statement regarding any previous service to the city as a subordinate under such officer or employee and a testimony as to his or her character.

Recommendation or
assistance from
employees in City's
service prohibited.

Exception.

Payment of salaries.

"SEC. 12. The treasurer shall not pay, nor shall any officer or employee of the city issue a check for the payment of, nor pay any salary or compensation to any person holding, or claiming to hold, a position in the classified service, as defined by this Act, unless the payroll or account of such salary or compensation shall bear a certificate of the Secretary of the Civil Service Commission stating that the persons named therein have been appointed or employed and are performing service in accordance with the civil service provisions of this Act and the rules established hereunder, that their names appear upon the service register for the time for which such salary or compensation is claimed and that the salary or compensation is at the rate indicated on such register, but no such certificate shall be required in connection with the payment of salary or compensation to the officers and employees which are specifically exempt from the provisions of this Act by section six of article fourteen. No such certificate of the Secretary of the Civil Service Commis-

Certificate of
secretary.

No certificate
required for persons
exempt by Sec. 6,
Art. XIV this
Act.

sion shall include the name of any officer or employee during lay-off, suspension or pending the public hearing provided herein, but should any such officer or employee be reinstated after such public hearing, full compensation shall be paid for such period. If the treasurer or any officer or employee of the city shall wilfully or negligently violate any of the provisions of this section he and the sureties on his bond shall be liable to the City for the amount thereof and actions may be brought therefor by any taxpayer for the use of the city without giving notice previous to institution of suit.

"SEC. 13. Every person appointed or promoted to an office or position with the City of High Point by the City Manager, as herein provided, shall be on probation for a period of six (6) months before appointment or promotion is made complete, during which period a probationer may be discharged or reduced at the will of the City Manager, upon recommendation of the department head in which department the probationer is employed. After such period of probation, no officer or employee shall be reduced in rank, removed or discharged except as provided in section fifteen of this Act.

"SEC. 14. Notice of the time and place of every examination shall be given once a week by the Civil Service Commission by publication for two (2) weeks immediately preceding such an examination in a daily newspaper published in the City of High Point, and such notice shall be posted in a conspicuous place in the office of the Civil Service Commission and on the bulletin boards in the Municipal Building of the City of High Point for at least two (2) weeks next preceding such an examination. The said Civil Service Commission, through its secretary, shall prepare and keep as a permanent record of the commission a register of all persons successfully passing such examinations to be known as the register of eligibles. The names of such eligibles shall be arranged in classified lists according to the type of employment sought. The name of no person shall remain on the register of eligibles for more than two (2) years without a new application and a new examination. When any appointment is to be made by the City of High Point, the City Manager shall notify the Secretary of the Civil Service Commission who shall promptly certify to the City Manager the names and addresses of three eligibles on the list for the class or grade to which such position belongs. The City Manager shall appoint to such position one of the persons whose names are so certified, and no such appointment shall be submitted to the City Council for approval.

"SEC. 15. Any officer or employee of the city may be laid off, suspended or removed from office or employment by the head of the respective department or division, and any head of a department or division may be laid off, suspended or removed by the City Manager. Verbal or written notice of lay-off, suspension or removal given to an officer or employee, or written no-

No certificate to include employee suspended, etc.

Full compensation after reinstatement.

Liability of officers for violations.

Six months probation period.

During probation City Manager may discharge or reduce rank.

Removal, etc. after probation period.

Notice of time and place of examinations.

Posting of notice.

Permanent record of eligibles.

Eligibles classified.

New application and examination after two years on eligible list.

Appointments.

Provision for suspension, removal, etc. from office or employment.

Notice.

Employee's right to have statement of reason and right of hearing.

Hearing.

Commission reports findings, recommendations.

Final disposition.

Public record of proceedings.

Not basis for libel actions.

Duties of secretary.

Application register kept.

Applications on prescribed forms.

Promotions.

tice left at or mailed to his usual place of residence, shall be sufficient to put any such lay-off, suspension or removal into effect unless the person so notified shall, within five (5) days after such notice, demand a written statement of the reason therefor and the right to be heard before the Civil Service Commission. Upon such written demand, the officer making the lay-off, suspension or removal shall supply the person notified thereof and the Civil Service Commission with a written statement of the reasons therefor and the commission shall fix a time and place for a public hearing of the charges, and such hearing must be held within ten (10) days after such request. Following the public hearing and such investigation as the Civil Service Commission may see fit to make, the commission shall report its findings and recommendations to the officer responsible for the lay-off, suspension or removal within thirty (30) days after the date of such notice. Thereupon the officer making the lay-off, suspension or removal shall, with the approval of the Secretary of the Civil Service Commission, make such disposition of the matter as, in his opinion, the good of the service may require, and such disposition shall be final. A copy of the written statement of reasons given for any lay-off, suspension or removal, and a copy of any written reply thereto by the officers or employees involved, together with a copy of the decisions of the authority, shall be filed as a public record in the office of the Secretary of the Civil Service Commission. No statement made in good faith by the authority making any such lay-off, suspension or removal shall constitute defamation of character and/or libel, or serve as a basis for any action or proceeding, civil or criminal in its nature, alleging defamation of character and/or libel.

"SEC. 16. It shall be the duty of the Secretary of the said Civil Service Commission to supervise, under the direction of the commission, the execution of the provisions of this Act and of the rules made thereunder, and it shall be the duty of the secretary to keep the minutes of all meetings of the said commission, and the secretary shall be custodian of all papers pertaining to the business of said commission. The secretary shall keep a record of all examinations held and perform any and all other such duties said commission may prescribe. There shall be kept by the Secretary of the Civil Service Commission an application register, in which shall be entered the names and addresses in the order and date of application of all applicants for Civil Service examination and the office or employment which they seek. All applications shall be upon forms prescribed by the Civil Service Commission.

"SEC. 17. The promotion of any employee of the City of High Point in either his or her present department or to any other department of the municipal government shall be on a strictly competitive basis, and then only upon written recom-

mentation of the head of the department in which the person is at the time employed.

"SEC. 18. The failure of any member of the City Council to cooperate in the providing of funds with which to compensate employees of the City of High Point coming under the classified services established under this Act for services rendered, after the presentation of a budget to the said City Council for the various departments as provided for on the date of the ratification of this Act, shall constitute a misdemeanor and shall be punishable by fine or imprisonment in the discretion of the court having jurisdiction thereof. Each week of the continuance of failure of any member of said council to cooperate as above provided shall constitute a separate offense. The City Council shall also make such provision for office space or accommodation for the use of the commission and its secretary as shall be adequate for the needs thereof, and shall make provision in each annual appropriation budget for funds with which to compensate members of the Civil Service Commission and its secretary. Failure on the part of any member of the City Council to cooperate in providing for and compensating members of the commission and its secretary shall constitute a misdemeanor, punishable by a fine or imprisonment in the discretion of the court having jurisdiction of such offense.

"SEC. 19. The Civil Service Commission, together with the head of each municipal department or division, shall, at the end of each fiscal year, make an annual report of its action during the preceding year to the City Manager and the City Council of the City of High Point. This report shall include copies of each examination given during the year. This report shall also include the opinions of said Civil Service Commission as to the practical effects of the rules, plan and system in use, together with suggestions for improvements in the various departments of the city, and said annual report shall be kept in the office of the said commission.

"SEC. 20. The City of High Point shall pay all necessary expenses of the Civil Service Commission incident to its operations, such as to provide office equipment, office supplies, printing costs, advertising costs and the like, and shall provide funds therefor in accordance with the Local Government Act.

"SEC. 21. Upon the ratification of this Act all present employees of the city coming under its provisions shall be placed on probation for a period of sixty (60) days in accordance with section thirteen hereof. The Civil Service Commission shall, within such sixty (60) day period, examine on a non-competitive basis and inquire into and investigate all such present employees in order to determine their qualifications, fitness and efficiency for the positions which they occupy. The commission may, in its discretion and upon the basis of such investigations, report to the City Manager the name of any present employee found to be deficient and at the same time supply said City

Failure of City Council to provide funds to compensate employees made a misdemeanor.

Each week of failure separate offense

Office space for Commission.

Compensation of members and secretary.

Failure to provide for compensation, members and secretary a misdemeanor

Annual report by Civil Service Commission.

Contents.

Necessary expenses of Commission to be paid by City of High Point.

Present employees of City placed on probation.

Non-competitive examinations required.

Deficient employees reported to City Manager.

Names of eligibles submitted.

Manager with the names of not more than three (3) persons whom it has found to be qualified for such position. Such investigation by the commission of the present employees shall be concluded within sixty (60) days after the ratification of this Act.

Disqualifications for employment.

"SEC. 22. No person elected to the City Council shall, during the time for which elected, be appointed to any office or position in the service of the city. Any appointive officer or employee under classified service of the city who shall become a candidate for nomination or election to any public office shall immediately forfeit the office or employment held under the City."

Partial invalidity provision.

SEC. 4. That in the event that any part, section or subdivision of this Act shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this Act, but the same shall be continued in full force and effect notwithstanding such holding.

Conflicting laws repealed.

SEC. 5. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 6. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 27th day of February, A. D. 1937.

H. B. 327

CHAPTER 145

AN ACT TO AID IN THE COLLECTION OF DELINQUENT TAXES IN MACON COUNTY.

The General Assembly of North Carolina do enact:

Appointment of delinquent tax collector, Macon County.

SECTION 1. That the Board of County Commissioners of Macon County are hereby authorized and directed to appoint some suitable person in Macon County on the first Monday in May, one thousand nine hundred and thirty-seven, who shall be charged with the duty of collecting delinquent taxes for the years one thousand nine hundred and twenty-seven to one thousand nine hundred and thirty-four, inclusive.

Duty.

Evidences of unpaid taxes to be turned over to collector.

SEC. 2. That all tax sales certificates, tax lien notes, or other evidences of unpaid taxes for said years shall be turned over to the person so appointed as above provided for who shall have the right to settle with each person for all or such part of his unpaid taxes for the said years as he may deem advisable. Upon the payment of the amount of unpaid taxes agreed upon, he shall give a receipt to the owner in full for all unpaid taxes for any or all of the above years. Where land has been sold for any of the above unpaid taxes and the county has become the owner, the county commissioners shall make a deed to said land upon payment of the amount of unpaid taxes agreed upon. The said delinquent tax collector herein provided for shall receive

Right to settle with delinquent taxpayers as advisable.

Full settlement receipt.

Reconveyance of land sold to County upon payment back taxes.

for his services the sum of not more than two hundred dollars (\$200.00) per month; provided all expense for printing and postage shall be paid by the county.

Salary and expenses.

SEC. 3. That the sheriff and/or tax collector of Macon County for the collection of taxes due for the year one thousand nine hundred and thirty-five and thereafter shall receive commissions only on the amount of taxes paid in cash and no commissions shall be allowed on the taxes when land is sold for non-payment of same and he shall be allowed not more than ten cents for each tax sale certificate made out.

Sheriff, tax collector, Macon County, allowed commissions only for cash collections of taxes.

SEC. 4. That for the year one thousand nine hundred and thirty-six and thereafter no discount whatever shall be allowed on taxes in Macon County but the full amount of taxes assessed shall be paid.

No discount allowed on 1936 and subsequent taxes, Macon County.

SEC. 5. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 6. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 27th day of February, A. D. 1937.

H. B. 335

CHAPTER 146

AN ACT TO AMEND CHAPTER FOUR HUNDRED FIFTY-TWO OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED ELEVEN AND AS AMENDED BY CHAPTER THREE HUNDRED SIX OF PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTEEN RELATING TO THE DUTIES OF THE AUDITOR OF WAKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section fourteen of chapter four hundred fifty-two of the Public-Local Laws of North Carolina, session one thousand nine hundred eleven, is hereby amended by striking out all of said section down to and including the word "county" before the word "to" and after the word "said" in line thirteen of said section, and inserting in lieu thereof: "It shall be the duty of the Auditor of Wake County."

Ch. 452, Public-Local Laws, 1911, amended to eliminate designation of Auditor as tax supervisor, Wake County.

SEC. 2. That section five of chapter three hundred six of the Public-Local Laws of North Carolina, session one thousand nine hundred thirteen, is hereby amended by striking out all of said section and inserting in lieu thereof the following: "The Board of County Commissioners for Wake County shall, on or before the first Monday in the month preceding the month prescribed by statute for the listing of taxes in each year, appoint a County Supervisor of Taxation who shall be a resident and freeholder of Wake County, and an experienced and practical business man with the knowledge of the valuation of real and

Ch. 306, Public-Local Laws, 1913, amended.

Appointment of Supervisor of Taxation, Wake County.

Qualifications.

Compensation.

personal property in the county, who shall receive such compensation for his services as the board shall designate not to exceed ten dollars per day for such time as he may be actually and necessarily engaged in the performance of his duties in his office and necessary traveling expenses for each day's service, and shall serve for such time as the Board of County Commissioners, in its discretion, shall designate provided in the event of the office becoming vacant, the Board of County Commissioners shall appoint another person to act and perform the duties of the County Supervisor for the remainder of the term. The Board of County Commissioners may, in its discretion, designate and name as County Supervisor of Taxation the auditor of the county, *Provided* that if the duties of the office of County Supervisor of Taxation are performed by the auditor, the Board of County Commissioners may, in its discretion, allow such compensation and expenses and allowance in addition to the regular salary as it may designate.

Necessary travelling expenses.

Tenure of office.

Vacancy appointments.

Commissioners may name County Auditor as Supervisor of Taxation.

Additional compensation for Auditor.

Powers and duties of Supervisor.

The County Supervisor of Taxation herein provided for shall be vested with all the powers and authority and shall be responsible for all duties as are now, or may hereafter be, provided by law for County Tax Supervisors of the State of North Carolina.

Conflicting laws repealed.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. And this Act shall be in force and effect from and after the date of its ratification.

In the General Assembly read three times and ratified, this the 27th day of February, A. D. 1937.

H. B. 337

CHAPTER 147

AN ACT TO REPEAL CHAPTER ONE HUNDRED AND THREE PUBLIC-LOCAL LAWS ONE THOUSAND NINE HUNDRED THIRTY-THREE, RELATIVE TO THE PURCHASE OF AN AUTOMOBILE FOR USE OF GRAHAM COUNTY.

The General Assembly of North Carolina do enact:

Ch. 103, Public-Local Laws, 1933, relative to purchase of automobile for Graham County, repealed.

SECTION 1. That chapter one hundred and three of the Public-Local Laws of one thousand nine hundred thirty-three, be, and the same is hereby repealed.

Conflicting laws repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 27th day of February, A.D. 1937.

H. B. 338

CHAPTER 148

AN ACT TO AMEND CHAPTER THREE HUNDRED NINETY-FIVE OF THE PUBLIC LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTEEN, RELATIVE TO THE DOG TAX IN AVERY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section four of chapter three hundred ninety-five of the Public-Local Laws of one thousand nine hundred thirteen be amended by striking out all the words after the word "a" in line three of said section and inserting in lieu thereof, "fund to reimburse any person or persons who may have sustained loss by reason of dogs damaging their sheep, at the same price such property was listed for taxation, to be determined by the County Commissioners of Avery County upon proof thereof being established by the evidence of two or more responsible persons: *Provided*, any surplus fund remaining on hand on the first day of January of the next year shall be turned over to the county commissioners, to be used as a public school fund."

SEC. 2. That this Act shall apply only to Avery County.

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 27th day of February, A.D. 1937.

Ch. 395, Public-Local Laws, 1913, amended, providing for use of dog taxes to pay for damages by dogs, Avery County.

Damages at price property listed for taxes.

Surplus Jan. 1st to school fund.

Applies only to Avery County.

Conflicting laws repealed.

H. B. 359

CHAPTER 149

AN ACT TO VALIDATE CERTAIN SALES OF LAND FOR TAXES IN GREENE COUNTY, AND CERTIFICATES ISSUED IN PURSUANCE THEREOF AND TO EXTEND THE TIME FOR TAX FORECLOSURE.

The General Assembly of North Carolina do enact:

SECTION 1. That all sales of land for failure to pay taxes, held or conducted by any tax collector of Greene County or any city, town or other municipality in said county during the years one thousand nine hundred and thirty-three, one thousand nine hundred and thirty-four and one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six, on any day subsequent to or other than the day required by law, be, and the same are hereby approved, confirmed, validated and declared to be proper, valid and legal sales of such land and legally binding in all respects, and all certificates of sales made and issued upon and in accordance with such sales, be, and they are hereby approved and validated to all intents and purposes, and with such full force and legal effect as if said sales

Tax sales by tax collector of Greene County or of any municipality therein, during 1933-1936, validated.

Certificates validated.

Time extended for
tax foreclosure suits
upon certificates
for 1933-1935.

had been held and conducted on said day as required by law.

SEC. 2. That the time for the institution of tax foreclosure suits upon certificates issued for the years one thousand nine hundred and thirty-three, one thousand nine hundred and thirty-four, one thousand nine hundred and thirty-five be and the same is hereby extended to January first, one thousand nine hundred and thirty-eight.

Conflicting laws
repealed.

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 27th day of February, A.D. 1937.

H. B. 374

CHAPTER 150

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF THE COUNTY OF SURRY TO ADJUST, REDUCE AND SETTLE BACK TAXES LEVIED FOR THE YEARS ONE THOUSAND NINE HUNDRED THIRTY-THREE AND ALL FORMER YEARS AND TO EXTEND THE TIME OF FORECLOSURES AND SALES OF LANDS FOR TAXES FOR THE YEARS ONE THOUSAND NINE HUNDRED THIRTY-FOUR AND PRIOR YEARS AND TO GRANT SUCH AUTHORITY TO THE COMMISSIONERS OF THE INCORPORATED TOWNS WITHIN SAID COUNTY OF SURRY AS TO TAXES LEVIED FOR SUCH YEARS BY SAID TOWNS OR THE COMMISSIONERS THEREOF.

The General Assembly of North Carolina do enact:

Adjustment of taxes
levied, 1933 and
prior thereto, Surry
County, authorized.

SECTION 1. That in respect to all taxes levied, but unpaid, in Surry County, levied in the years one thousand nine hundred thirty-three and all years prior thereto, the Board of Commissioners of said county is authorized and empowered to settle, adjust, and reduce in settlement any and all such taxes by forgiving interest and penalties accrued thereon or any part of such interest or penalties, or both; and to accept less than the amount of the principal levy in full of such taxes: *Provided*, said Board of Commissioners shall not be authorized to accept in any case less than eighty per cent of the actual levy.

Commissioners not
authorized to accept
less than 80 percent.

Commissioners may
authorize tax col-
lector and supervisor
to make adjustments.

Authorization by
resolution.

SEC. 2. That said Board of Commissioners is further authorized and empowered to grant and give to the tax collector and supervisor of said county the power and authority to make said adjustments, reductions, and settlements, but said board shall, by resolutions, give said officers such authority, which resolution or resolutions shall be spread upon the minutes of the meeting or meetings of said board and such authority may by the board be modified or withdrawn at any meeting of said commissioners.

SEC. 3. That the Board of Commissioners of Surry County is authorized and empowered to extend to December fifteenth, one thousand nine hundred thirty-seven, the time of the sale of lands for taxes levied in the years one thousand nine hundred thirty-four and prior years; and to extend the time of foreclosure actions on tax sales certificates issued by or held by said county on sales heretofore made and for any and all years prior to one thousand nine hundred thirty-six. That for the years one thousand nine hundred thirty-five and one thousand nine hundred thirty-six the time for foreclosure and for sale may be by the Board of Commissioners extended as far as to December fifteenth, one thousand nine hundred thirty-eight, and all liens and such taxes shall remain in force notwithstanding the extension of time of sale or for the foreclosure thereof.

Extension of time of tax sales, 1934 and prior taxes, authorized.

Extension of time of foreclosure actions, on certificates prior to 1936.

Extension for 1935 and 1936 taxes.

Lien of taxes unaffected.

SEC. 4. That in any suits in foreclosure commenced by said Board of Commissioners of said county, said board is authorized and empowered to have issued alias summons in any and all cases up to December fifteenth, one thousand nine hundred thirty-seven and as to taxes for one thousand nine hundred thirty-five and one thousand nine hundred thirty-six, December, one thousand nine hundred thirty-eight, and to cause to be made such amendments to the pleadings as may be necessary and to make such parties as may be needful and required to vest title in purchaser or certificate-holder.

Alias summons in foreclosure suits authorized.

Amendments to pleadings.

SEC. 5. That all powers and authorities given herein to the Board of Commissioners of the County of Surry are hereby granted and given to and bestowed upon the Board of Commissioners of the town of Mount Airy, the town of Elkin, the town of Dobson, and the town of Pilot Mountain in respect to taxes levied by said towns and for the years hereinbefore provided for as to the said county.

Powers granted to Commissioners, extended to certain towns.

SEC. 6. That in adjusting, reducing, and settling taxes herein provided for, the reductions and adjustments shall affect pro rata, the taxes levied for the several purposes for which such levies were made.

Reductions, etc. shall affect pro rata taxes levied for various purposes.

SEC. 7. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 8. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 27th day of February, A.D. 1937.

H. B. 412

CHAPTER 151

AN ACT TO REQUIRE AN AUDIT OF ALL COUNTY OFFICIALS OF HYDE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. The Board of Commissioners of Hyde County and

Audit of books and records of all officials, Hyde County, directed for 1936-37.

Audit to be extended to prior years, if necessary.

Special tax levy authorized to pay costs of audit.

Conflicting laws repealed.

all other officials of said county are hereby required and directed to submit their financial books and records to a Certified Public Accountant to be selected by the Director of Local Government for the purpose of auditing said accounts for the years ending June thirtieth, one thousand nine hundred and thirty-six, and June thirtieth, one thousand nine hundred and thirty-seven.

SEC. 2. After the audit has been made for the period set out in section one, if it should be found necessary to extend said audit to prior years, such extension shall be made only with the approval of the Director of Local Government.

SEC. 3. The County Commissioners are hereby directed and required to levy a special tax in the fiscal year beginning July first, one thousand nine hundred and thirty-seven for the payment of the costs of any audits authorized by this Act to be made of the accounts of the officers of Hyde County and payment shall be made from such special tax funds immediately upon presentation of the bill by the Certified Public Accountant performing said audits, and duly approved by the Director of Local Government.

SEC. 4. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 5. That this Act shall be in effect from and after its ratification.

In the General Assembly read three times and ratified, this the 27th day of February, A.D. 1937.

H. B. 492

CHAPTER 152

AN ACT TO AMEND CHAPTER ONE HUNDRED AND NINETY-SEVEN OF THE PUBLIC-LOCAL AND PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE, RELATIVE TO THE BOUNDARIES OF THE TOWN OF AULANDER, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Ch. 197, Private Laws, 1935, amended.

Corporate limits of Town of Aulander re-defined.

SECTION 1. That chapter one hundred and ninety-seven of the Public-Local and Private Laws of one thousand nine hundred and thirty-five be amended by striking out the period at the end of section one thereof, and adding therefor a semi-colon, and by adding thereto, the following: "and beginning at a point on the East side of the Aulander-Rich Square Highway at the dividing line for the lands of the late Ella C. Burden and the lands known as the W. J. Dunning farm; thence a direct line from said starting point and going South eighty-three (83) degrees West to the boundary line of said town as designated in chapter one hundred and twenty-four of the Private Laws of one thousand nine hundred and thirteen; thence North forty-five (45) degrees East along the said boundary line to the Auland-

er-Rich Square Highway; thence a southerly course along said highway to the point of the beginning.”

SEC. 2. That all laws and clauses of laws in conflict with this Act, be and they are hereby repealed.

SEC. 3. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 27th day of February, A.D. 1937.

Conflicting laws repealed.

H. B. 529

CHAPTER 153

AN ACT TO AMEND HOUSE BILL NUMBER ONE HUNDRED SEVENTY OF THE GENERAL ASSEMBLY OF ONE THOUSAND NINE HUNDRED THIRTY-SEVEN, RATIFIED FEBRUARY FIFTEENTH, ONE THOUSAND NINE HUNDRED THIRTY-SEVEN.

The General Assembly of North Carolina do enact:

SECTION 1. That section nineteen of House Bill number one hundred seventy of the session of one thousand nine hundred thirty-seven, ratified February fifteenth, one thousand nine hundred thirty-seven, be, and the same is hereby amended by striking out the word “nine” which appears in line twenty-three after the word “section” and before the word “of” and inserting in lieu thereof the word “thirteen,” and by striking out the word “nine” which appears in line twenty-seven thereof after the word “section” and before the word “insofar” and inserting in lieu thereof the word “thirteen.”

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 27th day of February, A.D. 1937.

Sec. 19, Ch. 72, Public-Local Laws, 1937, (H. B. No. 170), amended to correct erroneous section references.

S. B. 151

CHAPTER 154

AN ACT TO AMEND CHAPTER TWO HUNDRED SEVENTEEN, PUBLIC-LOCAL LAWS, ONE THOUSAND NINE HUNDRED THIRTY-FIVE, RELATING TO SPECIAL TAX IN JACKSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter two hundred seventeen of the Public-Local Laws of one thousand nine hundred thirty-five, be and the same is hereby amended by inserting between the word “levy” and the word “such” in line three of said Act the word “annually.”

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Ch. 217, Public-Local Laws, 1935, amended, to provide for special tax levy for holding courts, etc., Jackson County, annually.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

S. B. 169

CHAPTER 155

AN ACT RELATING TO THE PURCHASE, SALE OR USE
OF MILK BOTTLES IN CERTAIN CASES IN HALIFAX
AND NORTHAMPTON COUNTIES.

The General Assembly of North Carolina do enact:

Purchase or sale of
milk bottles labeled
with owner's name
made unlawful.

SECTION 1. That it shall be unlawful for any person to buy, sell, or otherwise dispose of milk bottles labeled or otherwise identified with the name or trademark or trade name of the owner.

Unlawful to bottle
dairy products in
container belonging
to another.

SEC. 2. That it shall be unlawful for any person to bottle milk, cream or other dairy products in any bottle or container of any kind belonging to any other person or dairyman on which bottle or container there appears the label, trade-mark or other identification of the owner.

Violation made
misdemeanor.

SEC. 3. That any person violating any of the provisions of this Act shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not exceeding fifty dollars or imprisoned not exceeding thirty days, in the discretion of the court.

Applies only to
Halifax and North-
ampton Counties.

SEC. 4. That this Act shall apply to Halifax and Northampton Counties only.

Conflicting laws
repealed.

SEC. 5. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 6. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

S. B. 172

CHAPTER 156

AN ACT TO PROVIDE FOR THE BETTER ENFORCEMENT
IN BEAUFORT COUNTY OF THE LAW PROVIDING FOR
THE VACCINATION OF DOGS AND THE COLLECTION
OF LICENSE TAX ON DOGS.

The General Assembly of North Carolina do enact:

Tax Collector,
Beaufort County,
directed to collect
license tax on dogs.

SECTION 1. That the Tax Collector of Beaufort County is authorized and directed to collect annually the license tax on dogs as provided for in section one thousand six hundred and seventy-three of the Consolidated Statutes, which tax shall be due and payable on the first Monday in April of each year.

SEC. 2. That at the time of collecting said tax on each dog, the tax collector shall vaccinate the dog, using the anti-rabies vaccine of the kind provided for in Consolidated Statutes four thousand eight hundred and ninety-five (1), and the county accountant of said county is authorized to buy said vaccine either from the state or from private sources as he may deem proper and deliver the same to the tax collector as called for by him.

SEC. 3. The tax collector shall be entitled to a fee of twenty-five cents for each dog so vaccinated. He shall collect said tax in the amount as provided in Consolidated Statutes one thousand six hundred and seventy-three and turn over the same to the County Accountant of Beaufort County, who shall, out of said funds, pay the tax collector the sum of twenty-five cents for each dog so vaccinated and shall pay for the cost of the vaccine and the balance of said taxes collected, after so doing, shall be applied to the school funds of the county as provided in Consolidated Statutes one thousand six hundred and eighty-one, and the official bonds of the tax collector and the county accountant shall be responsible for the proper accounting of monies collected by them respectively under the provisions hereof.

SEC. 4. The said tax collector is hereby appointed Anti-rabies Inspector of Beaufort County and is hereby vested with all power and authority given Anti-rabies Inspectors under the laws of North Carolina, and the said tax collector is directed upon the payment of the tax on each dog and the vaccination thereof, to issue serial numbered license showing the amount of tax collected and the date of vaccination of said dog and the number of the vaccine tag, and the owner of said dog shall not be liable for any further privilege or license tax thereon to the county.

SEC. 5. That all laws and clauses of laws in conflict herewith are hereby repealed.

SEC. 6. That this law shall be in full force from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

Tax Collector directed to vaccinate dogs against rabies.

Purchase of vaccine by County Accountant.

Fees for vaccinations.

Tax collections turned over to County Accountant.

County Accountant pays fees to Collector and costs of vaccine.

Balance to school fund.

Bonds responsible for proper accounting.

Tax Collector made Anti-rabies Inspector of Beaufort County.

Licenses for dogs.

Exemption from further County privilege tax.

Conflicting laws repealed.

S. B. 176

CHAPTER 157

AN ACT VALIDATING FORTY THOUSAND DOLLAR (\$40,000.00) SEWAGE DISPOSAL BONDS OF THE TOWN OF MEBANE.

Whereas, the Board of Commissioners of the Town of Mebane on January twelfth, nineteen hundred and thirty-seven passed an ordinance authorizing forty thousand (\$40,000.00) dollars Sewage Disposal Bonds of said town for the purpose of constructing a new sewage disposal plant for said town, the same constituting a necessary expense of the town; and

Preamble:
Ordinance authorizing Sewage Disposal Bonds, Town of Mebane.

New sewage disposal plant requested.

Issuance of bonds approved at election.

Ordinance and proceedings authorizing Sewage Disposal Bonds of Mebane validated.

Town of Mebane authorized to issue said bonds.

Powers granted in addition to existing powers.

Whereas, the State Board of Health requested the construction of such new sewage disposal plant; and

Whereas, at an election held February sixteenth, nineteen hundred and thirty-seven the issuance of said bonds was approved by more than a majority of the qualified voters of said town voting thereon: *Now, Therefore*,

The General Assembly of North Carolina do enact:

SECTION 1. That the ordinance passed by the Board of Commissioners of the Town of Mebane on January twelfth, nineteen hundred and thirty-seven authorizing forty thousand (\$40,000.00) dollars Sewage Disposal Bonds of said town, which ordinance was approved by more than a majority of the qualified voters of said town voting thereon at an election held February sixteenth, nineteen hundred and thirty-seven, and all proceedings heretofore taken in connection with the issuance of said bonds, be and the same is hereby validated and confirmed, and the Board of Commissioners of said town is hereby authorized and empowered to issue said bonds at one time or from time to time, in accordance with the provisions of the Municipal Finance Act, as amended, and the Local Government Act, as amended.

SEC. 2. The powers granted by this Act are granted in addition to and not in substitution for existing powers of said town.

SEC. 3. This Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

S. B. 185

CHAPTER 158

AN ACT VALIDATING CERTAIN BOND ANTICIPATION NOTES OF THE CITY OF CONCORD.

Preamble: Authorization of Public Improvement Bonds, City of Concord.

Bond anticipation note issued.

Proceeds of note used for purposes authorized by bond ordinance.

Whereas, the Board of Aldermen of the City of Concord on December third, one thousand nine hundred and thirty-six passed an ordinance authorizing twenty-one thousand (\$21,000.00) dollars Public Improvement Bonds of said city for the purpose of constructing street improvements; and

Whereas, under date of December seventh, one thousand nine hundred and thirty-six, and in order to anticipate the receipt of the proceeds of said bonds, said Board of Aldermen issued a twenty-one thousand (\$21,000.00) dollar bond anticipation note designated "Public Improvement Bond Anticipation Note," such note maturing July seventh, one thousand nine hundred and thirty-seven; and

Whereas, the proceeds of said bond anticipation note, being not less than par and accrued interest, were used for the purposes authorized and provided by said bond ordinance: *Now, Therefore*,

The General Assembly of North Carolina do enact:

SECTION 1. The bond anticipation note issued by the Board of Aldermen of the City of Concord, North Carolina, dated December seventh, one thousand nine hundred and thirty-six and mentioned in the second preamble of this Act, be and the same are hereby validated and confirmed, and declared to evidence valid existing debt of said city, and the Board of Aldermen of said city is hereby authorized and empowered to issue, in accordance with the Municipal Finance Act, as amended, and the Local Government Act, as amended, negotiable bonds of the city for the purpose of funding the debt now evidenced by said bond anticipation note dated December seventh, one thousand nine hundred and thirty-six and any renewals and extensions thereof.

Bond anticipation note issued by City of Concord, validated.

Declared evidence of valid City debt.

Board of Aldermen authorized to issue bonds

SEC. 2. All laws and clauses of laws inconsistent with this Act be and the same are hereby repealed.

Conflicting laws repealed.

SEC. 3. The powers granted by this Act are granted in addition to, and not in substitution for, existing powers of said city.

Powers granted in addition to existing powers.

SEC. 4. This Act shall be in full force from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

S. B. 186

CHAPTER 159

AN ACT TO RELIEVE TAXPAYERS OF CAMDEN COUNTY WITH RESPECT TO PENALTIES AND INTEREST ON DELINQUENT TAXES FOR YEARS PRIOR TO AND INCLUDING YEAR ONE THOUSAND NINE HUNDRED THIRTY-THREE, WITHIN THE DISCRETION OF BOARD OF COUNTY COMMISSIONERS.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Camden County, in its discretion, may by resolution adopted and recorded in its minutes, are authorized and empowered to remit the penalties and interest on delinquent taxes for the years prior to and including the year one thousand nine hundred and thirty-three; *Provided* said delinquent taxes are paid on or before October first, one thousand nine hundred and thirty-seven, *and provided*, that this Act does not effect any foreclosure made and completed for taxes for any year, and does not include remittance of any fees or costs in foreclosure actions instituted and not prosecuted to final judgment.

Commissioners, Camden County, authorized to remit penalties, etc. on delinquent 1933 and prior taxes.

Prerequisite.

Effect on foreclosures.

SEC. 2. That all laws and clauses of laws in conflict are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

S. B. 190

CHAPTER 160

AN ACT TO VALIDATE SALES OF LAND FOR TAXES IN THE COUNTY OF ROBESON OR ANY MUNICIPALITY OR TAXING DISTRICT THEREIN FOR THE YEARS NINETEEN HUNDRED AND THIRTY-FOUR AND NINETEEN HUNDRED AND THIRTY-FIVE.

The General Assembly of North Carolina do enact:

Tax sales, 1934 and 1935, by Robeson County or municipality, etc. therein, validated.

Tax sale certificates validated.

Conflicting laws repealed.

SECTION 1. That all sales for failure to pay taxes held, conducted or made by the Tax Collector of Robeson County, or of any municipality or taxing district therein during the years nineteen hundred and thirty-four and nineteen hundred and thirty-five on any date subsequent to, or other than, the date prescribed by law, and all certificates of sale executed and issued pursuant to and in accordance with such sales be, and the same are hereby approved, confirmed and validated and shall have the same force and legal effect as if said sales had been held and conducted on the date prescribed by law.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of the Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

S. B. 198

CHAPTER 161

AN ACT TO AMEND CHAPTER FIVE HUNDRED FORTY-SIX, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-FIVE, SO AS TO ENLARGE THE TERM OF OFFICE OF THE REGISTER OF DEEDS OF HALIFAX COUNTY.

The General Assembly of North Carolina do enact:

Ch. 546, Public-Local Laws, 1935, amended as to date of primary, Halifax County.

SECTION 1. That chapter five hundred forty-six, Public-Local Laws of North Carolina, one thousand nine hundred thirty-five, be and the same is hereby amended by striking out the following words at the beginning of section two of said chapter "That at the June, one thousand nine hundred thirty-five," and inserting in its place the words: "That at the June, one thousand nine hundred thirty-six."

SEC. 2. That the action of the duly qualified voters of Halifax County at the primary held June one thousand nine hundred thirty-six, in voting to increase the term of office of the Register of Deeds of Halifax County from two years to four years be, and the same is hereby ratified and confirmed in every respect.

1936 primary results validated.

SEC. 3. That the purpose of this bill is to correct a clerical error made in enacting chapter five hundred forty-six, Public-Local Laws of one thousand nine hundred thirty-five, in providing that the primary for voting on the enlargement of the term of office of Register of Deeds of Halifax County should be held in June one thousand nine hundred thirty-five, when it was the intent of the Legislature to provide for the primary to be held, and which was duly held, in June one thousand nine hundred thirty-six. The action of the qualified voters is hereby ratified in as full and ample a manner, and the term of office of the Register of Deeds of Halifax County is and shall be for a period of four years instead of two years in accordance with the wishes of the qualified voters of Halifax County, as shown in the June primary, one thousand nine hundred thirty-six.

Purpose of bill to correct clerical error in Ch. 546, Public-Local Laws, 1935.

Term of office of Register of Deeds, Halifax County, made four years.

SEC. 4. That the present term of office of the Register of Deeds of Halifax County shall be for a term of four years from the first Monday in December one thousand nine hundred thirty-six, in accordance with the vote of the duly qualified voters of Halifax County, as shown in the one thousand nine hundred thirty-six primary and in the one thousand nine hundred thirty-six general election.

Applies to present term.

SEC. 5. That all laws and clauses of laws in conflict with this Act be and the same are hereby repealed.

Conflicting laws repealed.

SEC. 6. That this Act shall be in full force and effect from and after its ratification, and shall relate back to the ratification May tenth, one thousand nine hundred thirty-five, of Senate Bill six hundred eleven, chapter five hundred forty-six, Public-Local Laws of North Carolina, one thousand nine hundred thirty-five, so as to amend said Senate Bill six hundred eleven to correct the clerical error referred to in section three of this Act so as to give effect to the will of the General Assembly of one thousand nine hundred thirty-five relative to said Senate Bill six hundred eleven.

Effective date.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

S. B. 207

CHAPTER 162

AN ACT VALIDATING SALES OF REAL PROPERTY BY THE GOVERNING BODY OF THE TOWN OF ROXBORO FOR DELINQUENT TAXES FOR THE YEAR ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE, AND PRECEDING YEARS.

The General Assembly of North Carolina do enact:

Tax sales and certificates, as to 1935 and prior taxes, Town of Roxboro, validated.

SECTION 1. That in all cases wherein the governing body of the Town of Roxboro has caused the advertisement and sale of real property in said municipality, for delinquent taxes levied for the year one thousand nine hundred and thirty-five, and/or for any preceding year, such advertisement and sale having been made in the manner provided by law, but on a day or days later than was then provided by law, all such advertisements and sales, and certificates issued in consequence thereof, are validated, and they shall have the same legal effect as if said sales had been held in every instance on the date provided by law.

SEC. 2. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

S. B. 243

CHAPTER 163

AN ACT TO VALIDATE THE PAYMENT BY THE BOARD OF COMMISSIONERS OF PITT COUNTY FOR EXTRA SERVICES EMPLOYED IN THE SHERIFF'S OFFICE IN PITT COUNTY, AND TO AUTHORIZE SAID BOARD OF COMMISSIONERS OF PITT COUNTY TO EMPLOY ADDITIONAL HELP IN SAID SHERIFF'S OFFICE WHEN NEEDED.

The General Assembly of North Carolina do enact:

Payment for extra services in Sheriff's office, Pitt County, validated.

SECTION 1. That the payment by the Board of County Commissioners for Pitt County for additional services rendered in the sheriff's office of Pitt County since April first, nineteen hundred thirty-five be and the same is hereby in all respects approved and validated.

Assistant to Sheriff, authorized.

SEC. 2. The Board of County Commissioners for Pitt County be and they are hereby authorized and permitted to employ one additional helper in the sheriff's office in Pitt County, from time to time, whenever in their discretion it may become necessary, and to pay for said additional services a compensation not in excess of ninety dollars (\$90.00) per month.

Compensation.

Conflicting laws repealed.

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

H. B. 13

CHAPTER 164

AN ACT TO ALLOW SUNDAY BASEBALL IN CHEROKEE COUNTY FOR WHICH AN ADMISSION FEE IS TO BE CHARGED.

The General Assembly of North Carolina do enact:

SECTION 1. That, subject to the restrictions hereinafter imposed, it shall be lawful to permit, conduct, promote and engage in baseball games on Sunday in Cherokee County between the hours of one o'clock P. M. and six o'clock P. M. but at no other hours on said day, and to charge admission fees to such games.

Sunday baseball games, Cherokee County, made lawful.

SEC. 2. That all baseball games played on Sunday in the Towns of Andrews, Marble and Murphy shall be subject to the regulations of the Board of Aldermen or Board of Town Commissioners of the respective towns, and all games played on Sunday outside the corporate limits of the said three towns shall be subject to the supervision and regulation of the Board of County Commissioners of Cherokee County, and said boards are hereby vested with full power and authority to make reasonable rules and regulations for the orderly conduct of said games.

Rules and regulations.

SEC. 3. That it shall be unlawful to play baseball games for which admission fees are charged in Cherokee County on Sunday except between the hours of one o'clock P. M. and six o'clock P. M.

Sunday games unlawful except between hours provided.

SEC. 4. Any person violating any of the provisions of this Act shall be guilty of a misdemeanor and fined not to exceed fifty dollars or imprisoned not to exceed thirty days.

Violation made misdemeanor.

SEC. 5. All laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 6. That this Act shall be in force and effect from and after the date of its ratification.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

H. B. 14

CHAPTER 165

AN ACT TO ALLOW MOVING PICTURE THEATRES TO OPERATE ON SUNDAY IN CHEROKEE COUNTY FOR WHICH AN ADMISSION FEE IS TO BE CHARGED.

The General Assembly of North Carolina do enact:

Sunday moving pictures, Cherokee County, lawful within hours provided.

SECTION 1. That it shall be lawful for moving picture theatres to be operated in Cherokee County on Sunday between the hours of twelve-thirty o'clock P. M. and five o'clock P. M. and after the hour of eight-thirty o'clock P. M., and the management of any such theatre is authorized to charge the usual admission fee.

Hours prohibited.

SEC. 2. It shall be unlawful for any person, firm or corporation to open to the public, operate, or permit to be operated, any moving picture show or house of any kind on Sunday in Cherokee County except during the hours from twelve-thirty o'clock P. M. to five o'clock P. M. and after the hour of eight-thirty o'clock P. M.: *Provided*, that it shall not be unlawful for Saturday night shows to continue as late as two o'clock A. M. on Sunday morning.

Saturday night show may continue to 2 a. m. Sunday.

Violation made misdemeanor.

SEC. 3. Any person, firm or corporation violating any of the provisions of this Act shall be guilty of a misdemeanor and fined or imprisoned in the discretion of the court.

Conflicting laws repealed.

SEC. 4. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 5. This Act shall be in force and effect from and after the date of its ratification.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

H. B. 104

CHAPTER 166

AN ACT TO REPEAL CHAPTER ONE HUNDRED THIRTY-NINE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED TWENTY-THREE, RELATING TO THE SALE OF BONDS IN COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

Ch. 139, Public-Local Laws, 1923, repealed.

SECTION 1. That chapter one hundred thirty-nine of the Public-Local Laws of one thousand nine hundred twenty-three, be, and the same is hereby repealed.

SEC. 2. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

H. B. 136

CHAPTER 167

AN ACT TO CREATE THE OFFICE OF CITY ATTORNEY
FOR THE CITY OF CHARLOTTE AND TO DESIGNATE
THE DUTIES OF THE HOLDER OF SAID OFFICE AND
THE SALARY ATTACHED THERETO.

The General Assembly of North Carolina do enact:

SECTION 1. That there is hereby created the office of City Attorney for the City of Charlotte, North Carolina.

Office of City
Attorney for Char-
lotte created.

SEC. 2. That the holder or holders of said office shall be elected by the members of the city council by a majority vote and the term of office shall be for two years and shall run concurrently with that of the members of the city council: *Provided*, that should the city council deem it preferable it may elect to the said office either one or two—but not more than two—attorneys to fill said office: *Provided, further*, that the salary of said office be divided equally between said appointees.

Election by City
Council.

Term of office.

May elect two
attorneys.

Salary divided
equally.

SEC. 3. That the salary attached to said office shall be an amount not to exceed six thousand (\$6,000.00) dollars per annum, to be paid in twelve equal monthly installments from the general fund of the city treasury: *Provided*, nothing in this section or this Act shall prevent the city council from employing additional attorneys for extra or special work and pay for such services an amount to be determined by the city council.

Salary limitation.

Additional attorneys
for extra work;
compensation.

Duties of City
Attorney.

SEC. 4. That the duties of the holder or holders of said office shall be as follows: To prosecute or defend all suits at law or in equity wherein the City of Charlotte may become the plaintiff or defendant in said suit; to render advisory opinions to the city council and to the heads of the departments: *Provided*, that such requests for advice shall be made in writing and signed by the person requesting said advice; to attend only such meetings of the council as may be requested in writing by the mayor or mayor pro-tem of said city; and to perform any other service of a legal nature wherein a majority of the City Council have concurred.

Requests for
advice.

Attendance upon
meetings of council.

SEC. 5. That the said office shall be declared vacant either by the death of the holder thereof, or when any seven members of the city council vote to remove the said attorney, with such vacancy to be filled as provided in section two.

Removal.

Vacancy
appointments.

SEC. 6. That the said attorney or attorneys shall be required to furnish all of the equipment and upkeep pertaining to the office, and to be located in close proximity to the city hall, and shall have the term "City Attorney" or "City Attorneys" inscribed under the firm name on the outside door to the office.

Attorney's office.

SEC. 7. That the said city attorney or city attorneys shall be allowed to engage in the general practice of the law, in addition to performing the duties of the office of city attorney: *Provided*, such practice shall not conflict with the duties pertaining to the said office.

City attorney may
engage in general
law practice.

SEC. 8. This Act shall apply only to the City of Charlotte.

Applies only to
Charlotte.

Conflicting laws
repealed.

Effective date.

SEC. 9. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 10. This Act shall be in full force and effect at the first general election for municipal officers for the said City of Charlotte, North Carolina, after the ratification of this Act.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

H. B. 244

CHAPTER 168

AN ACT TO REGULATE THE PLEDGING, PURCHASE AND SALE OF USED OR SECOND-HAND MERCHANDISE AND OTHER PERSONAL PROPERTY IN BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

Pawnbrokers, junk
dealers, Buncombe
County, required
to file daily reports
of property re-
ceived.

Information on
report.

Violation made
misdemeanor.

Applies only to
Buncombe County.

Conflicting laws
repealed.

SECTION 1. That all persons, firms or corporations engaged in the business of pawnbrokers, junk dealers or of buying and/or selling used or second-hand merchandise or other used personal property shall file daily in the office of the Sheriff of Buncombe County, an itemized report of all such merchandise or property so purchased or received by them, said report to show a detailed description of the property, the name of the person, firm or corporation from whom the same was purchased or received, the address of such vendor or vendors and the purchase or pledge price paid therefor.

SEC. 2. Any person, firm or corporation violating the provisions of this Act shall be guilty of a misdemeanor and upon conviction may be fined or imprisoned, at the discretion of the court.

SEC. 3. This Act shall only apply to Buncombe County.

SEC. 4. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 5. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

H. B. 262

CHAPTER 169

AN ACT RELATING TO THE PREPARATION OF THE TAX BOOKS IN HYDE COUNTY.

The General Assembly of North Carolina do enact:

Preparation of tax
books, by Register
of Deeds, Hyde
County.

SECTION 1. That the Register of Deeds of Hyde County shall have control of preparing the assessment and receipt books and all other matters pertaining to the county tax books for the

year one thousand nine hundred and thirty-seven, and thereafter, and they shall be made up and prepared by the said Register of Deeds who shall receive for this work not more than seven hundred and fifty dollars annually, as may be allowed by the County Commissioners.

Additional pay limited.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

H. B. 269

CHAPTER 170

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF GUILFORD COUNTY TO LEVY A SPECIAL TAX FOR THE SUPPORT AND MAINTENANCE OF THE POOR AND THE OPERATION OF THE COUNTY WELFARE DEPARTMENT.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Guilford County be, and it is hereby authorized and empowered to levy such special property tax on all the taxable property situate in said county as may be necessary, not to exceed twelve cents on the one hundred dollars valuation, for any fiscal year, the amount of said tax so levied and collected to be used for the support and maintenance of the poor and the operation of the County Welfare Department and for no other purpose whatsoever.

Special tax levy, Guilford County, authorized.

Limitation of rate.

Purpose.

SEC. 2. The funds raised by said levy for relief shall be kept in a special account with a separate set of books from other accounts of Guilford County, which accounts shall be open to inspection by the public at all times. An Advisory Relief Commission consisting of one member designated by the County Commissioners of Guilford County, one member designated by the City Council of High Point, one member designated by the governing body of the City of Greensboro, and one member designated by the governing body of the Town of Gibsonville, is hereby created to advise with the County Relief Director as to the expenditure of said relief fund. The County Relief Director shall make detailed monthly reports to said commission of all expenditures and operations with respect to said relief fund.

Funds to be kept in special account.

Advisory Relief Commission created

Appointment of members.

Functions.

Monthly reports.

SEC. 3. That no tax for the purpose set forth in section one of this Act shall be levied by either the City of Greensboro, or the City of High Point or by the Town of Gibsonville in the County of Guilford.

No tax for said purpose to be levied by Greensboro, High Point, Gibsonville.

SEC. 4. That all laws and clauses of laws in conflict with the

Conflicting laws repealed.

provisions of this Act are hereby repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

H. B. 273

CHAPTER 171

AN ACT TO REGULATE THE DRAWING OF GRAND JURORS IN BERTIE COUNTY.

The General Assembly of North Carolina do enact:

Grand jury
Bertie County.

Selection and terms.

Subject to discharge
by presiding judge.

SECTION 1. That on the first Monday in July, one thousand nine hundred thirty-seven, the Board of County Commissioners of Bertie County be, and it is hereby empowered to draw, in the manner prescribed by law, nine (9) grand jurors to serve for a period of six months and nine (9) grand jurors to serve for a period of twelve months, and that thereafter, on the first Monday in January and July, the said Board of County Commissioners shall draw nine (9) grand jurors to serve for a period of twelve months.

SEC. 2. That the judge presiding over any term of the Superior Court in said Bertie County may at any time discharge said grand jury from further services in which event he shall cause the Board of County Commissioners to draw a new grand jury, which shall be drawn and shall serve as provided in section two hereof.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

H. B. 290

CHAPTER 172

AN ACT TO PROVIDE A BOXING AND WRESTLING COMMISSION AND TO REGULATE BOXING AND WRESTLING IN THE CITY OF CHARLOTTE.

The General Assembly of North Carolina do enact:

Appointment of
Boxing and Wrestling
Commissioners,
Charlotte.

Terms.

No compensation.

Boxing and wrestling
exhibitions lawful

SECTION 1. That the Mayor of the City of Charlotte is hereby empowered and authorized to appoint a Boxing and Wrestling Commission, to consist of three citizens, who shall serve for a period not to exceed that of the Mayor appointing said commissioners and who shall serve without compensation.

SEC. 2. That it shall be lawful to engage in, manage or promote boxing and wrestling exhibitions in the City of Charlotte, North Carolina, providing that the boxing exhibitions shall not

be more than twelve rounds in length. The Boxing and Wrestling Commission shall have full power and authority to make such rules and regulations as in its judgment and discretion may be necessary for the proper regulation of such boxing and wrestling exhibitions, even after consent has been given for the holding of such exhibitions.

Regulations by
commission.

SEC. 3. That any person or persons guilty of engaging in or promoting, aiding or abetting any professional sparring or wrestling matches without first having the written consent of said Boxing and Wrestling Commission, and any person or persons violating the rules and regulations of said commission, or refusing to obey the orders of said commission controlling a sparring or wrestling match shall be guilty of a misdemeanor and shall be fined not more than fifty dollars (\$50.00) or imprisoned not less than ten days nor more than one month in the discretion of the court.

Violation made
misdemeanor.

SEC. 4. That chapter five of the Private Laws of the extra session of one thousand nine hundred twenty-four of the State Legislature, entitled "An Act to provide a Boxing Commission and regulate boxing in the City of Charlotte" be and the same is hereby repealed: *Provided*, that this Act shall apply only to the City of Charlotte.

Ch. 5, Private Laws,
extra session, 1924,
repealed.

SEC. 5. That this Act shall be in force and effect from and after its ratification.

Act applies to
Charlotte only.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

H. B. 299

CHAPTER 173

AN ACT TO AUTHORIZE THE BOARD OF ALDERMEN OF THE TOWN OF BREVARD TO SELL AT PRIVATE SALE PROPERTY ACQUIRED BY SAID TOWN THROUGH TAX FORECLOSURE PROCEEDINGS.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Aldermen of the Town of Brevard are hereby authorized and empowered to sell at private sale, without notice, property acquired by the said Town of Brevard through tax foreclosure proceedings: *Provided*, that no such property shall be sold at private sale for less than the total amount of taxes and special assessments, and accrued interest thereon, levied and assessed by the said Town of Brevard against such property, and due the said town thereon.

Private sale of
property acquired by
Brevard through
tax foreclosures,
authorized.

Limitation as to
sale price.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws
repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

H. B. 303

CHAPTER 174

AN ACT TO AMEND CHAPTER NINETY-NINE, PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-FIVE, RELATING TO THE ELECTION OF THE SCHOOL TRUSTEES FOR THE CANTON GRADED SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

Sec. 1, Ch. 99,
Private Laws, 1935,
amended, to change
election date for
trustees.

Sec. 3, said Act,
amended.

Election of trustees.

Terms staggered.

Election of successors.

Vacancy
appointments.

Sec. 9, said Act,
amended.

New registration
authorized.

Custody of books.

Elections conducted
by Board of
Elections

Designation of
voting places.

SECTION 1. That section one of chapter ninety-nine, Private Laws of one thousand nine hundred thirty-five, be, and the same is hereby amended by striking out in line eleven the word "June" and inserting in lieu thereof the word "May."

SEC. 2. That chapter ninety-nine, Private Laws of one thousand nine hundred thirty-five, be, and the same is hereby amended by striking out all of section three and inserting in lieu thereof the following:

"SEC. 3. That an election shall be held on Tuesday after the first Monday in May, one thousand nine hundred thirty-seven, and biennially thereafter on the same day. At said election, May, one thousand nine hundred thirty-seven, five members of said board shall be elected, three for a term of four years and two for a term of two years. That the three candidates receiving the highest number of votes shall serve for a term of four years and the two candidates receiving the next highest number of votes shall serve for a period of two years. That thereafter as the terms of any member of said board shall expire their successors shall be elected as provided herein. Any vacancy that may occur on said Board of Trustees by resignation or otherwise shall be filled by appointment by the Board of Elections of said District."

SEC. 3. That chapter ninety-nine, Private Laws of one thousand nine hundred thirty-five, be, and the same is hereby amended by striking out all of section nine and inserting in lieu thereof the following:

"SEC. 9. That said Board of Elections shall have full power in their discretion to call an entirely new registration for any election as they deem it necessary and proper, and that they shall have custody of all registration books or other books used in connection with the elections held in said district, and any election, special or otherwise, that may hereafter be held in said district shall be conducted by, and called by said Board of Elections. That said Board of Elections shall and they are hereby vested with authority, to name the place or places for voting in said district: *Provided*, that no voting place as designated by said Board of Elections shall be at the same place or location designated by the Board of Aldermen of the Town of Canton, for voting in the election of the Town of Canton, where and when the election of trustees of the school district fall upon

the same day as the election of the officials of the Town of Canton.”

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws
repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

H. B. 306

CHAPTER 175

AN ACT VALIDATING CERTAIN BOND ANTICIPATION NOTES OF THE TOWN OF WHITEVILLE AND AUTHORIZING THE ISSUANCE OF BONDS OF SAID TOWN.

Whereas, the Board of Commissioners of the Town of Whiteville on April thirtieth, one thousand nine hundred and thirty-five, passed an ordinance authorizing bonds of the Town of Whiteville for the purpose of paving Franklin, Williamson and Webster Streets, with necessary grading; and

Preamble: Paving bonds, Town of Whiteville, authorized by ordinance.

Whereas, under date of August first, one thousand nine hundred and thirty-five, and in order to anticipate the receipt of the proceeds of said bonds, the said Board of Commissioners issued a twenty thousand dollar bond anticipation note; and

Bond anticipation note issued.

Whereas, the proceeds of said bond anticipation note, being not less than par and accrued interest, were used for the purposes authorized and provided by said bond ordinance; and

Said note used for purposes provided by bond ordinance.

Whereas, new bond anticipation notes have been issued from time to time in renewal and extension of such bond anticipation note, the note now outstanding being dated October first, one thousand nine hundred and thirty-six and maturing six months after date; *Now, Therefore*,

Renewal bond anticipation notes issued.

The General Assembly of North Carolina do enact:

SECTION 1. The bond anticipation note dated October first, one thousand nine hundred and thirty-six and mentioned in the foregoing preambles, be, and the same is hereby validated and confirmed, and declared to evidence valid existing debt of said town, and the Board of Commissioners of said town is hereby authorized and empowered to issue, in accordance with the Municipal Finance Act, as amended, and the Local Government Act, as amended, negotiable bonds of the town for the purpose of funding the debt now evidenced by said bond anticipation note, dated October first, one thousand nine hundred and thirty-six, and any renewals and extensions thereof, and it shall not be necessary to submit the question of issuing said bonds to the vote of the qualified electors within said town.

Bond anticipation note, Town of Whiteville, validated

Valid debt of town.

Funding bonds authorized.

No bond election necessary.

SEC. 2. All laws and clauses of laws inconsistent with this Act be, and the same are hereby repealed.

Conflicting laws repealed.

Powers additional to existing powers.

SEC. 3. The powers granted by this Act are granted in addition to and not in substitution for existing powers of said town.

SEC. 4. This Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

H. B. 334

CHAPTER 176

AN ACT TO PROVIDE FOR THE OFFICE OF TAX COLLECTOR FOR WAKE COUNTY.

The General Assembly of North Carolina do enact:

County Board of Commissioners, Wake County, authorized to appoint Tax Collector; in discretion of Board.

Term of office.

Salary and expenses.

Salary limitation.

Appointment of Tax Collector.

Oath.

Notice to Sheriff and C. S. C.

Sheriff and C. S. C. to deliver tax books, records, to Tax Collector.

Settlement.

SECTION 1. That the Board of County Commissioners for Wake County are hereby authorized and empowered, in the discretion of the said board, to create and establish the office of tax collector in and for Wake County, and to appoint a tax collector whose term of office shall be for two years, unless otherwise relieved of his duties by the said board upon thirty days notice thereof, and whose employment, salary or compensation and that of his deputies, assistants and clerks and administrative expenses of his office shall be determined, fixed and approved by the said Board of County Commissioners of Wake County, except that the salary or compensation of the tax collector shall be fixed by the said board at a specific sum not to exceed the sum of three thousand two hundred (\$3,200.00) dollars per year.

SEC. 2. That upon the creation of the office of tax collector, the Board of County Commissioners for Wake County on the first Monday of June of the year said office is created and established, and on the first Monday of June of each and every succeeding year, shall name and appoint a tax collector who shall take office on the first Monday in July following said appointment, after first taking the same oath as is prescribed for the treasurer for the county.

SEC. 3. That upon creating and establishing the office of tax collector, the Board of County Commissioners shall immediately notify the sheriff and the Clerk of the Superior Court of Wake County that said office has been established and that they are required to make settlement with said board of all taxes collected by them, whether the same be current or delinquent, on the first Monday in July and that they shall on that date turn over and deliver to the tax collector all books and records pertaining to the taxes of Wake County, whether current or delinquent, and when the settlement of the sheriff and the clerk of the court has been accepted and approved by the said Board of County Commissioners, and all books and records pertaining to the collection of taxes has been delivered and transferred to the tax collector, the sheriff and the clerk of the court shall

be relieved of all further duties in connection with the collection of taxes in Wake County and, thereupon, the said sheriff and the Clerk of the Superior Court and their sureties shall be discharged from further liability thereof.

SEC. 4. That the tax collector appointed by said Board of Commissioners as herein provided for shall be vested with all the powers and authority, and shall be responsible for all duties, as are now or may hereafter be provided by law for sheriffs of the State of North Carolina in the collection of taxes and levy and sale of lands and personal property for taxes in Wake County, and said tax collector is hereby authorized to collect delinquent, as well as current, taxes and he shall make a full and complete settlement of all taxes collected with the Board of County Commissioners of Wake County on the first Monday in July of each and every year, and upon demand and thirty days notice by the said board, the said tax collector shall make a full and complete settlement with the said board on the first Monday of any other month, and he shall be required to enter into a bond for the faithful discharge of the duties of his office in a penal sum not less than the Sheriff of Wake County would be required to give, said bond to be approved by the said Board of County Commissioners. The tax collector shall be allowed on all taxes collected by him the same fees and commissions as are now allowed to the Sheriff of Wake County on the taxes collected by him and the said tax collector shall turn all fees and commissions coming into his hands for the collection of taxes over to the Treasurer of Wake County and the same shall be paid into the salary and fee fund of said county.

SEC. 5. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 6. That this Act shall be in force and effect from and after the date of its ratification.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

Sheriff and C. S. C. relieved of further duties with respect tax collecting.

Powers and duties of Tax Collector.

Collection of delinquent and current taxes.

Annual settlement required.

Settlement any month upon notice.

Bond.

Fees and commissions paid to County Treasurer

Salary and fee fund.

Conflicting laws repealed.

H. B. 353

CHAPTER 177

AN ACT TO AMEND THE CHARTER OF THE TOWN OF BRIDGETON IN CRAVEN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter fifty-eight of the Private Laws of one thousand nine hundred and thirty-five, be amended by striking out all of section six-b and inserting in lieu thereof the following: "6b. *How Primaries are Held.* The primary election for such nominations shall be held on the first Saturday of May of the year in which all general municipal elections are held. The judges and other officers of the election, appointed for the municipal election, shall, whenever practicable, be the judges of the primary election, and the said primary shall be held under

Ch. 58, Private Laws, 1935 amended.

Time of primary election, Town of Bridgeton, Craven County.

Election officials.

Rules and
regulations.

the same rules and regulations, and at the same place and manner and subject to the same conditions as to the opening and closing of the polls and otherwise as are required for the general election.

Registration books,
period open.

The registration books shall be opened and continued open for four weeks preceding said date of the primary election, and the registrar shall be at the polling place designated on each of said four preceding Saturdays between the hours of nine A. M. and six P. M. for the purpose of registering the electors, and on the Saturday next preceding the election he shall hear and determine such challenges as shall be made.

Registrar at polling
place on Saturdays.

Challenges.

Sec. 6g, said Act,
amended, to change
number of ballots
distributed.

SEC. 2. That section six-g shall be amended by striking out of line three of said section the words "equal to" and inserting in lieu thereof the words "at least twice the number of registered voters."

General elections.

SEC. 3. That all general elections held in said town shall be held on the first Saturday in June of each election year following the holding of the primary election, and that the polls shall be opened at sunrise and remain open until sunset, for both primary elections and for the general elections.

Opening and
closing polls.

Time of taking
office.

SEC. 4. That said Act be amended by adding thereto the following: "That such candidates as are elected at the general election held for such purposes in said town, shall be inducted into and take office on the first Monday of July immediately following the general election held in said town."

Conflicting laws
repealed.

SEC. 5. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 6. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of March, A. D. 1937.

H. B. 375

CHAPTER 178

AN ACT TO REPEAL HOUSE BILL NUMBER TWO HUNDRED THIRTY-TWO, RATIFIED FEBRUARY FIFTEENTH, ONE THOUSAND NINE HUNDRED AND THIRTY-SEVEN, SAME BEING "AN ACT EXTENDING THE TIME FOR THE ISSUANCE OF REFUNDING AND FUNDING BONDS OF THE TOWN OF ELKIN, AND AMENDING CHAPTER TWO HUNDRED AND FIFTY-EIGHT, PRIVATE LAWS ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE," AND TO REENACT THE SAME.

Preamble: H. B.
No. 232, Ch. 77,
Public-Local Laws,
1937, passed without
roll call.

Whereas, House Bill two hundred thirty-two, was ratified February fifteenth, one thousand nine hundred thirty-seven, and since the passage of said Act it appears that the Constitutional provisions requiring said bill to be placed on Roll Call readings on separate days were not complied with; and

Whereas, in order to meet the requirements of the Constitution and for the proper passage of the identical Act; *Now, Therefore*,

Reenactment necessary to meet Constitutional requirements.

The General Assembly of North Carolina do enact:

SECTION 1. Notwithstanding the provisions of section two thousand nine hundred and fifty, Consolidated Statutes, being a part of the Municipal Finance Act, the Refunding and Funding Bonds of the Town of Elkin authorized by ordinances adopted by the Board of Commissioners of said town on January twenty-fifth, one thousand nine hundred thirty-five, which bonds were validated and authorized by chapter sixty-seven, Private Laws, one thousand nine hundred thirty-five, may be issued at any time within three years after the ratification of this Act.

Issuance of Funding and Refunding Bonds, Town of Elkin, authorized.

SEC. 2. That section one, of chapter two hundred fifty-eight, Private Laws, one thousand nine hundred thirty-five, be, and the same is hereby amended to read as follows:

Sec. 1, Ch. 258, Private Laws, 1935, amended.

"Section 1. That the town of Elkin, a municipal corporation in Surry County, North Carolina, is hereby authorized to accept its own bonds in payment of taxes levied for the fiscal year one thousand nine hundred and thirty-three and thirty-four and prior years, and in the payment of street assessments which have heretofore become delinquent or due prior to February first, one thousand nine hundred thirty-seven."

Town of Elkin, authorized to accept own bonds in payment of delinquent taxes and assessments.

SEC. 3. That section two of said chapter two hundred fifty-eight be, and the same is hereby repealed.

Sec. 2, Ch. 258, Private Laws, 1935, repealed.

SEC. 4. That all laws and clauses of laws inconsistent with this Act be and the same are hereby repealed.

Conflicting laws repealed.

SEC. 5. That this Act shall be in full force from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

H. B. 396

CHAPTER 179

AN ACT TO ENLARGE THE TERM OF OFFICE OF THE TREASURER FOR PITT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That at the general election for the year one thousand nine hundred thirty-eight and quadriennially thereafter there shall be elected in Pitt County by the qualified voters thereof, a county treasurer, who shall serve for a term of four years from the first Monday in December after his election and until his successor is elected and qualified.

Election of Treasurer, Pitt County.

Term.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

H. B. 411

CHAPTER 180

AN ACT TO ALLOW THE VOTERS OF DUPLIN COUNTY TO EXPRESS THEIR WILL AS TO INCREASING THE NUMBER OF COMMISSIONERS IN SAID COUNTY TO FIVE.

The General Assembly of North Carolina do enact:

Election authorized for increasing number of Commissioners, Duplin County.

SECTION 1. That at the next general election, there shall be submitted to the qualified voters of Duplin County the question as to whether the members of the Board of County Commissioners of said county shall be increased from three to five members, and at said election those in favor of said increase shall vote a ballot on which are the words: "For Increase In Members Board Commissioners," and those opposing said increase shall vote a ballot on which are the words: "Against Increase In Members Board Commissioners."

Ballot wording.

If vote is for increase, further legislation required.

SEC. 2. That if at said election the majority of the votes cast are in favor of said increase, then the General Assembly next following said election shall put the same in operation by appropriate legislation, and the appointment of two additional members, whose terms shall end in the same manner as those now or hereafter elected.

Appointment of two additional members.

Conflicting laws repealed.

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 4. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

H. B. 441

CHAPTER 181

AN ACT TO VALIDATE CERTAIN PROPERTY LISTING AND SALES OF LAND FOR TAXES IN ORANGE COUNTY, AND TO VALIDATE CERTIFICATES ISSUED IN PURSUANCE THEREOF AND JUDICIAL PROCEEDINGS HAD IN SAID COUNTY IN CONNECTION WITH COLLECTION OF DELINQUENT TAXES.

The General Assembly of North Carolina do enact:

Tax listings, Orange County for 1932-1936, validated.

SECTION 1. That all property listings for taxation in Orange County for the years, one thousand nine hundred and thirty-two, one thousand nine hundred and thirty-three, one thousand nine hundred and thirty-four, one thousand nine hundred and thirty-five, one thousand nine hundred and thirty-six, are hereby, in all respects, approved and validated.

Tax sales by Orange County or municipality therein, 1935, 1936, validated.

SEC. 2. That all sales of land in Orange County for failure to pay taxes, held or conducted by the sheriff or other tax collector of said Orange County, or any city, town or other muni-

cipality in said county, during the years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six on any day subsequent to or other than the first Monday in September of said years be, and the same are hereby approved, confirmed, validated and declared to be proper, valid and legal sales of such land, and legally binding in all respects, and all certificates of sale made and issued upon and in accordance with such sales, be, and they are hereby approved and validated to all intents and purposes, and with such full force and legal effect as if said sales had been held and conducted on said first Mondays of September, one thousand nine hundred and thirty-five, and one thousand nine hundred and thirty-six.

SEC. 3. That all judicial proceedings had in Orange County in which either Orange County, or any city or town therein, has been the plaintiff, said judicial actions being for the purpose of enforcing the collection of delinquent taxes and the sale of land to make assets with which to pay said taxes during the years one thousand nine hundred and thirty-five, and one thousand nine hundred and thirty-six are hereby approved, confirmed, validated, and declared to be in all respects proper, valid, and legal sales of such land, regardless of the day of the week on which said sales were held: *Provided only* that said sales have been duly approved by the Clerk of the Superior Court of said county. That where deeds have been issued by a Commissioner of the Superior Court of Orange County for the conveyance of said lands which were being sold for the collection of delinquent taxes during said years, the same are now hereby in all respects approved, confirmed, and declared to be legal conveyance of the title to the lands described in said commissioner's deeds.

Judicial proceedings and sales, to enforce tax collections, Orange County and municipalities therein, 1935, 1936 validated.

Sales must have been approved by C. S. C.

Commissioners' deeds validated.

SEC. 4. *Provided* that this Act shall not affect pending litigation.

Pending litigation not affected.

SEC. 5. That all laws and clauses of laws in conflict with this Act, either Public or Public-Local or Private, are hereby repealed to the extent that same may conflict with the provisions of this Act.

Conflicting laws repealed.

SEC. 6. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

H. B. 455

CHAPTER 182

AN ACT TO AMEND CHAPTER TWO HUNDRED NINE, PUBLIC-LOCAL LAWS ONE THOUSAND NINE HUNDRED THIRTY-FIVE, PROVIDING FOR THE NOMINATION AND ELECTION OF THE COUNTY COMMISSIONERS OF WILSON COUNTY BY THE VOTERS OF THE ENTIRE COUNTY.

The General Assembly of North Carolina do enact:

Ch. 209, Public-Local Laws, 1935, amended, as to election, Wilson County Commissioners.

Nomination and election.

SECTION 1. That section three of chapter two hundred and nine of the Public-Local Laws of one thousand nine hundred and thirty-five be and the same is hereby amended to read as follows:

“Sec. 3. That those participating in the primary, as candidates, shall be restricted to the qualified voters of said respective districts: *Provided, however,* that any candidate from said districts shall be voted upon by the voters in the entire county both in the primary, and in the general election.”

Conflicting laws repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of March, A. D. 1937.

H. B. 475

CHAPTER 183

AN ACT TO REPEAL CHAPTER ONE HUNDRED THREE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED TWENTY-NINE, RELATING TO PUBLIC DRUNKENNESS IN BLADEN COUNTY; AND TO MAKE PUBLIC DRUNKENNESS UNLAWFUL IN BLADEN COUNTY.

The General Assembly of North Carolina do enact:

Ch. 103, Public-Local Laws, 1929, repealed.

Public drunkenness in Bladen County unlawful.

SECTION 1. That chapter one hundred three of the Public-Local Laws of North Carolina, session of one thousand nine hundred twenty-nine, be, and the same is hereby repealed.

SEC. 2. That it shall be unlawful for any person to appear at any public place or at any public gathering in Bladen County, or on any public street or road or highway in Bladen county, while in a drunken or intoxicated condition.

Violation made misdemeanor.

SEC. 3. That any person violating the provisions of section two of this Act shall be guilty of a misdemeanor and shall upon conviction be fined not exceeding fifty (\$50.00) dollars, or imprisoned not exceeding thirty days, in the discretion of the court.

SEC. 4. That all laws and clauses of laws, whether Public, Public-Local, or Private, in conflict with this Act, be, and the same are hereby, to the extent of such conflict, repealed.

Conflicting laws repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

H. B. 481

CHAPTER 184

AN ACT TO AMEND CHAPTER ONE HUNDRED THIRTY-ONE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-FIVE CREATING A BOARD OF MUNICIPAL ELECTIONS FOR THE TOWN OF CANTON.

The General Assembly of North Carolina do enact:

SECTION 1. That section six, chapter one hundred thirty-one, Private Laws of one thousand nine hundred thirty-five, be amended by striking out in lines four and five thereof, the words "and any municipal election thereafter."

Ch. 131, Private Laws, 1935, amended.
New registration for Town of Canton, not required, for municipal elections.

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

H. B. 494

CHAPTER 185

AN ACT TO PROHIBIT THE SALE OF INTOXICATING LIQUORS NEAR MULBERRY SCHOOL, CENTER CHURCH AND BAPTIST HOME CHURCH IN WILKES COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm or corporation to sell any beer, ale, wine, liquor or other intoxicating drink within one mile of the Mulberry School, Center Church or the Baptist Home Church located in Mulberry Township in Wilkes County.

Sale of intoxicants prohibited within mile of Mulberry, School Center Church, and Baptist Home Church, Wilkes County.

SEC. 2. That any person violating any of the provisions of this Act shall be guilty of a misdemeanor and upon conviction shall be fined or imprisoned, in the discretion of the court.

Violation made misdemeanor.

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

H. B. 501

CHAPTER 186

AN ACT TO REGULATE THE PRACTICE OF PLUMBING
AND HEATING CONTRACTING IN HARNETT COUNTY,
AND TO PREVENT FRAUDS.*The General Assembly of North Carolina do enact:*

Plumbing and heat-
ing contractors
license required,
Harnett County.

SECTION 1. That it shall be unlawful for any person, firm or corporation to enter into or carry on the business of plumbing and/or heating, whether by contract or otherwise, in Harnett County, without first having applied for and obtained a license from the State Board of Examiners of Plumbing and Heating Contractors.

Use of expired or
revoked license
unlawful.

SEC. 2. That it shall be unlawful for any person, firm or corporation to use an expired or revoked license of said State Board of Examiners of Plumbing and Heating Contractors in Harnett County.

Compliance with
installation re-
quirements.

SEC. 3. That it shall be unlawful for any person, firm or corporation to install any plumbing and/or heating in any building in Harnett County in a manner which does not conform to the minimum requirements of the North Carolina Building Code as it relates to plumbing and heating, as amended from time to time.

Violation made
misdemeanor.

SEC. 4. That any person, firm or corporation who shall violate any of the provisions of this Act shall be guilty of a misdemeanor and upon conviction fined not less than fifty dollars or imprisoned for not more than three months or both, in the discretion of the court.

Conflicting laws
repealed.

SEC. 5. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 6. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

H. B. 503

CHAPTER 187

AN ACT TO PREVENT THE SALE OF GASOLINE TO
DRUNKEN DRIVERS IN CUMBERLAND COUNTY.*The General Assembly of North Carolina do enact:*

Sale of gasoline, etc.
to intoxicated
person unlawful,
Cumberland County.

SECTION 1. That it shall be unlawful for any person, firm or corporation to sell or otherwise furnish any gasoline and/or oil or any other automobile supplies and/or services for any automobile or motor vehicle to any person who is under the influence of intoxicating beverages and/or narcotics.

Violation made
misdemeanor.

SEC. 2. That any person violating the provisions of this Act shall be guilty of a misdemeanor and fined or imprisoned in the discretion of the court.

SEC. 3. That this Act shall apply only to Cumberland County.

Applies only to
Cumberland County.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws
repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

H. B. 531

CHAPTER 188

AN ACT TO CREATE THE OFFICE OF TAX COLLECTOR FOR DAVIE COUNTY AND TO FIX THE SALARY OF THE SHERIFF OF SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That there is hereby created the office of tax collector for Davie County, and the commissioners of said county are hereby authorized and empowered to appoint a tax collector for said county who shall serve at the pleasure of the Board of County Commissioners and until his successor has been appointed and qualified. The said commissioners are also authorized and empowered to fix the salary of the said tax collector at a sum not exceeding one thousand eight hundred dollars per annum, payable in equal monthly installments. That the tax collector hereafter to be appointed shall assume the collection of the taxes levied for the year one thousand nine hundred and thirty-six and shall take over the tax books from the sheriff for collection of said taxes on the date fixed by the County Commissioners after said tax collector has been appointed and qualified.

Tax Collector, Davie
County, authorized.

Appointment.

Tenure of office.

Salary.

Collection of taxes.

SEC. 2. That the tax collector, before entering upon the discharge of his duties shall take and subscribe an oath as is taken by officers of the county, and to truly and faithfully and impartially discharge the duties of tax collector to the best of his skill and ability and he shall be required to give bond for the faithful performance of his duty in the collection and accounting for all taxes due Davie County in some surety company licensed to do business in the State of North Carolina. The said bond and amount thereof is to be fixed and approved by the Board of County Commissioners of Davie County and the premium paid to secure said bond shall be paid by Davie County.

Oath.

Bond.

Bond premium paid
by Davie County.

SEC. 3. That upon the appointment and qualification of the said tax collector, all of the powers and duties and liabilities now pertaining to the sheriff of the county as tax collector, regarding the collection, custody and disposition of the taxes, turning over and accounting for the same, distraint, advertisement, sale, and in all other respects pertaining to said matters which are now given or shall hereafter be given, designated

Powers and duties.

or required of sheriffs in the performance of similar duties, shall be conveyed upon, given to, and required of said tax collector. He shall make the reports as now required of the sheriff and shall be subject to the same rules and regulations.

SEC. 4. That from and after the induction into office of the said tax collector of Davie County, the salary of the sheriff is hereby fixed at two thousand two hundred dollars per annum, and in addition thereto all fees for service of process and fees for transportation of prisoners and insane persons to the state institutions, which shall be in full compensation for all services as sheriff.

SEC. 5. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 6. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

H. B. 380

CHAPTER 189

AN ACT TO REGULATE THE DRAWING OF GRAND JURORS IN WILSON COUNTY.

The General Assembly of North Carolina do enact:

Drawing of Grand Jurors, Wilson County.

Staggered terms

Judge's power to discharge.

In case of discharge, new grand jury drawn

SECTION 1. That on the first Monday in July, one thousand nine hundred thirty-seven, the Board of County Commissioners of Wilson County be, and it is hereby empowered to draw, in the manner prescribed by law, nine grand jurors to serve for a period of six months and nine grand jurors to serve for a period of twelve months, and that thereafter, on the first Monday in January and July, the said Board of County Commissioners shall draw nine grand jurors to serve for a period of twelve months.

SEC. 2. That the judge presiding over any term of the Superior Court of said Wilson County may at any time discharge said grand jury from further services in which event he shall cause the Board of County Commissioners to draw a new grand jury, which shall be drawn and shall serve for and during the unexpired terms of the members of the grand jury discharged.

SEC. 3. That this Act shall be in full force and effect from and after it ratification.

In the General Assembly read three times and ratified, this the 5th day of March, A. D. 1937.

H. B. 392

CHAPTER 190

AN ACT TO ESTABLISH A LAW LIBRARY IN FRANKLIN COUNTY.

Whereas, in the new courthouse of Franklin County there has been set apart a room for a law library in accordance with the the original designs for said courthouse; and

Whereas, a law library is deemed a necessity for the use of the officials of Franklin County and of the courts held in said county; and

Whereas, it is desired to provide for the proper equipment, books and records necessary and requisite and for the proper support and maintenance of said library; *Now, Therefore*,

The General Assembly of North Carolina do enact:

SECTION 1. That the Chairman of the Board of County Commissioners, the Clerk of the Superior Court, and the President of the Bar Association of Franklin County and their successors in office, be and they are hereby constituted the custodian of all books, supplies, equipment and furniture of the law library which shall be kept and maintained for the County of Franklin and the use of the officials of said county and the courts held therein.

SEC. 2. All books, equipment, supplies and furniture of said library shall be the property of the County of Franklin, and the said county is authorized and empowered to hold said property and to add thereto from time to time by gift, donation, purchase or otherwise, such books, records, equipment and furniture as may be deemed reasonably necessary and proper for the use of said officials and courts.

SEC. 3. The Clerk of the Superior Court of Franklin County shall be and he is hereby constituted to act as librarian of said library without compensation. It shall be the duty of said librarian to keep said library room open during such hours as may be fixed by the custodian hereinbefore provided for, and shall obey all rules and regulations which may be prescribed for the government and management of the said library.

SEC. 4. In order to provide a fund for the extension, maintenance and support of the said library the sum of one dollar (\$1.00) shall be taxed as costs and collected by the Clerk of the Superior Court and the Clerk of the Recorder's Court of Franklin County, in each and every case tried and disposed of in the Superior Courts and Recorder's Court of Franklin County after the ratification of this Act, except in cases in which said county is adjudged to pay all costs and shall be set apart in a fund to be known and designated as a library fund, and said fund shall be deposited by the Clerk of the Superior Court in a bank designated for that purpose, and shall be used solely for the purpose of the extension, maintenance and operation of the said library.

SEC. 5. That it shall also be the duty of the Judge of the Recorder's Court of the Town of Franklinton, in Franklin County,

Preamble: law library room provided in new Franklin County courthouse

Law library necessary

Desire to support and maintain library.

Law library, Franklin County, provided for.

Custodian of books, equipment, etc.

Books, equipment, etc. of law library, property of county.

County authorized to hold and acquire, books, etc. as necessary.

C. S. C. made librarian, without compensation.

Open hours.

\$1 taxed as costs in Franklin County Superior and Recorder's Courts cases for library fund.

Exception: in cases where county must pay costs.

Special fund deposited by C. S. C.

\$1 taxed as costs
in Franklinton
Recorder's Court
cases for library
fund.

to collect from the defendant in each and every case finally disposed of in their respective courts in which the Superior Court, or Recorder's Court, originally had jurisdiction the sum of one dollar (\$1.00), which amount shall be immediately paid over to the Clerk of the Superior Court of Franklin County to supplement the aforesaid library fund, and which shall be expended in the way and manner provided in this Act.

Purchase of books
authorized,

SEC. 6. That from the funds so collected from time to time as provided in sections six and seven of this Act it shall be the duty of the Clerk of the Superior Court of Franklin County to purchase and pay for such volumes and sets of books as shall be recommended and agreed upon from time to time by the Chairman of the Board of Commissioners of Franklin County, the Clerk of the Superior Court of said county, and a committee to be appointed annually by the Franklin County Bar Association. All checks on said account shall be drawn and signed by the Clerk of the Superior Court of Franklin County, and it shall be the duty of the said clerk to keep a correct account of all receipts and disbursements in connection with said library fund.

Checks drawn on
fund by C. S. C.

Accounts.

Conflicting laws
repealed.

SEC. 7. That all laws and clauses of laws in conflict herewith regarding the disposition of costs received by the office of the Clerk of the Superior Court of Franklin County are hereby repealed.

SEC. 8. That this Act shall be in force and effect from and after the date of its ratification.

In the General Assembly read three times and ratified, this the 5th day of March, A. D. 1937.

H. B. 427

CHAPTER 191

AN ACT TO AMEND THE CHARTER OF THE TOWN OF MOUNT AIRY WITH RESPECT TO THE ESTABLISHMENT OF A SPECIAL COURT FOR TRAFFIC VIOLATIONS AND AUTHORIZING THE BOARD OF COMMISSIONERS TO PRESCRIBE THE POWERS AND DUTIES OF CERTAIN OFFICERS.

The General Assembly of North Carolina do enact:

Traffic court for
town of Mt. Airy,
authorized.

SECTION 1. That the Board of Commissioners of the Town of Mount Airy is authorized to adopt ordinances which may provide for the establishment of a traffic court as a department of the Recorder's Court of Mount Airy Township. The Clerk of the Recorder's Court, or any deputy clerk designated by the Judge of said Recorder's Court, may hear and determine all cases wherein any person is charged with the violation of any statute or ordinance relating to the parking of vehicles, the operation of motor vehicles within the corporate limits of the Town of Mount Airy, and other violations of the state law or any ordinance of

Jurisdiction.

the Town of Mount Airy relating to the parking or operation of motor vehicles, not including, however, cases in which injury to persons or property is done, or cases of reckless operation of motor vehicles or the driving of motor vehicles while under the influence of intoxicating liquors, or other violations of the law in respect to motor vehicles wherein the punishment exceeds a fine of fifty (\$50.00) dollars or imprisonment for thirty days, or both. The clerk or deputy clerk so designated may punish the offender by taxing him with all or any part of the court costs, (computed and taxed as if the case was pending in a Justice's Court) as may be prescribed by ordinance of the Town of Mount Airy. The said Town of Mount Airy may prescribe the times of the opening and holdings of such traffic court; and the judgments of the clerk or deputy clerk sitting as traffic court, shall have the same effect and shall be enforced in the same manner as are judgments of the Recorder's Court of Mount Airy Township or a court of the Justice of the Peace.

The Board of Commissioners may provide, by ordinance, that persons convicted of one or more offenses against the traffic laws shall, with respect to the subsequent offenses, be tried in the Recorder's Court of Mount Airy Township and before the judge thereof.

SEC. 2. That the said Town of Mount Airy is authorized, by its Board of Commissioners, to provide by ordinance or ordinances, that the said traffic court hereinbefore provided for, may forgive and remit any part of any fine provided for in any ordinance for the violation of the traffic laws, wherein the punishment prescribed does not exceed a fine of fifty (\$50.00) dollars or imprisonment for thirty days, or both fine and imprisonment, as the case may be, and to forgive and remit any part of the costs taxable against such defendant, when in the judgment of said clerk or deputy clerk hearing the case, may in his discretion determine and adjudge that the violation is of such character as not to merit imposition of such fine, requirement of cost or imprisonment.

SEC. 3. That the Board of Commissioners of the said Town of Mount Airy shall provide, by ordinance, if ordinances be adopted relating to said traffic court, that any offender shall have the right of appeal to the Judge of the Recorder's Court by notice given in open court on the date of the hearing.

SEC. 4. That there shall be and is included in the jurisdiction of said traffic court, the following violations:

Displaying no rear light; driving with one head light; driving with no head light; driving with glaring lights; driving with insufficient brakes; passing a red traffic lamp; parking over time; double parking; displaying no city license tag; parking farther from the curb than any ordinance of the Town of Mount Airy may allow, together with such other offenses and violations as are punishable by a fine of not exceeding fifty (\$50.00) dollars or imprisonment for thirty days, or both.

Cases not within jurisdiction.

Punishment for traffic violations.

Time of holding said court.

Effect of judgments.

Provision for trial of second offenders before judge, Recorder's Court, Mt. Airy Township.

Traffic court may be authorized to forgive or remit fines in certain cases.

May be authorized to forgive or remit costs.

In discretion of clerk hearing case.

Appeal to Judge of Recorder's Court.

Specific violations within jurisdiction of court.

Clerk hearing case may be authorized to accept pleas of guilty, remit fines, etc.

Inconsequential violations heard at any time.

Record required of all cases.

Costs and forfeitures to inure to Town of Mt. Airy.

SEC. 5. That the clerk or deputy clerk sitting in traffic violations may be authorized by ordinances of the Town of Mount Airy to accept pleas of guilty and to remit any fine and to tax less than the regular costs for first and second offenses, in all cases in which jurisdiction is authorized by this Act.

The Board of Commissioners of the Town of Mount Airy is further authorized and empowered to provide by ordinance or ordinances, that the Clerk of the Recorder's Court of Mount Airy Township, or Assistant Clerk, designated, may hear and determine inconsequential violations of the traffic laws at any time, but that a record of the same shall be kept and made of all cases.

SEC. 6. That all costs assessed in any case shall inure to and become the property of the Town of Mount Airy, the officers thereof being upon a salary; and such forfeitures as may be imposed as may be constitutionally appropriated to the said Town of Mount Airy or reimbursement of said town in costs expended in the maintenance of said court.

SEC. 7. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 5th day of March, A. D. 1937.

H. B. 585

CHAPTER 192

AN ACT LIMITING TO NOVEMBER FIRST, ONE THOUSAND NINE HUNDRED AND THIRTY-SEVEN THE ACCEPTANCE OF BONDS, NOTES AND COUPONS BY TRANSYLVANIA COUNTY IN PAYMENT OF TAXES OR ANY PORTION OF TAXES.

The General Assembly of North Carolina do enact:

Acceptance of bonds and notes, by Transylvania County, in payment of certain taxes.

SECTION 1. That the Tax Collector of Transylvania County shall accept in payment of the debt service portion, but not including school debt service, of the taxes levied for the years one thousand nine hundred and thirty-three, one thousand nine hundred and thirty-four and one thousand nine hundred and thirty-five any bond or note maturing prior to November first, one thousand nine hundred and thirty-seven, at par value.

Certain coupons accepted at 25% of face value.

SEC. 2. That the Tax Collector of Transylvania County shall accept in payment of the debt service portion, excluding school debt service, of the taxes levied for the year one thousand nine hundred and thirty-three, one thousand nine hundred and thirty-four and one thousand nine hundred and thirty-five, coupons maturing prior to November first, one thousand nine hundred and thirty-seven, at twenty-five percent of the face value of said coupons appurtenant to bonds of the county.

SEC. 3. That the Tax Collector of Transylvania County shall accept in full payment of taxes levied for the year one thousand nine hundred and thirty-two and years prior thereto, any bond or note at par value, and any interest coupon of said county at twenty-five percent of its face value: *Provided*, that the state ad valorem tax provided for by chapter four hundred twenty-seven, Public Laws one thousand nine hundred and thirty-one, and included in the taxes levied for the year one thousand nine hundred and thirty-two, and the county school debt service levy for the year one thousand nine hundred and thirty-two shall be required to be paid in cash until full settlement shall have been made with the state and County School Board for their prorata portion of said taxes.

Transylvania County bonds acceptable in payment of 1932 and prior taxes, at par value.

Interest coupons at 25 per cent face value.

Delinquent State ad valorem tax and county school debt service levy, 1932, payable in cash.

SEC. 4. That from and after November first, one thousand nine hundred and thirty-seven all taxes due Transylvania County shall be paid in cash and it shall be unlawful for the tax collector to accept any bonds, notes or coupons in settlement of said county taxes or any portion thereof.

After Nov. 1, 1937, all taxes, Transylvania County, payable in cash.

SEC. 5. That chapter nine and chapter eighteen of the Public-Local Laws of one thousand nine hundred and thirty-five, and all other laws and clauses of laws in conflict with this said Act are hereby repealed.

Chs. 9 and 18, Public-Local Laws, 1935, and other conflicting laws, repealed.

SEC. 6. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified this, the 5th day of March, A. D. 1937.

H. B. 662

CHAPTER 193

AN ACT TO PERMIT THE GOVERNING AGENCY OF THE HIGH POINT CITY SCHOOL ADMINISTRATIVE UNIT TO APPOINT A PERSON TO PERFORM THE DUTIES OF SCHOOL SUPERINTENDENT IN THE EVENT OF THE DEATH OR RESIGNATION OF SUCH SUPERINTENDENT.

The General Assembly of North Carolina do enact:

SECTION 1. That the governing agency, or School Board, of the High Point City School Administrative Unit is hereby authorized and empowered to appoint temporarily by and with the consent and approval of the Superintendent of Public Instruction, a person to perform the duties of school superintendent of said unit in the event of the death or resignation of such superintendent, which person need not have the qualifications

Appointment of temporary School Superintendent, High Point, authorized in case of vacancy.

Tenure of office.

Conflicting laws
repealed.

required by law of school superintendents. Such person so temporarily appointed to such office shall perform said duties only during such time as the Superintendent of Public Instruction may approve.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 5th day of March, A. D. 1937.

S. B. 115

CHAPTER 194

AN ACT TO REPEAL CHAPTER ONE HUNDRED SIXTY-NINE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE AND TO RE-ENACT CHAPTER FIVE HUNDRED TWENTY-SIX OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-THREE RELATIVE TO PAYMENT OF INSOLVENT COURT COSTS IN CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

Ch. 169, Public-Local Laws, 1935, repealed.

Ch. 526, Public-Local Laws, 1923, re-enacted, requiring Cumberland County to pay full costs in certain cases.

Conflicting laws repealed.

SECTION 1. That chapter one hundred sixty-nine of the Public-Local Laws of one thousand nine hundred and thirty-five be and the same is hereby in all respects repealed.

SEC. 2. That chapter five hundred twenty-six of the Public-Local Laws of one thousand nine hundred and twenty-three be and the same is hereby in all respects re-enacted.

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 5th day of March, A. D. 1937.

S. B. 155

CHAPTER 195

AN ACT TO FIX THE COMPENSATION OF THE CLERK OF RECORDER'S COURT FOR VANCE COUNTY.

The General Assembly of North Carolina do enact:

Chs. 158, 614, Public-Local Laws, 1911, amended to allow C. S. C., Vance County, \$50 per month extra compensation.

SECTION 1. That chapter one hundred fifty-eight of the Public-Local Laws of one thousand nine hundred eleven as amended by chapter six hundred fourteen, Public-Local Laws of one thousand nine hundred eleven, be and the same is hereby amended by striking out at the end of section two the following: "and

his fees shall be the same as those now provided for Clerks of the Superior Court and his records shall be kept as other records of the Clerks of the Superior Court," and insert in lieu thereof the following: "and shall receive as compensation therefor the sum of fifty dollars (\$50.00) per month, which shall be in addition to the compensation now fixed for the Clerk of the Superior Court of Vance County."

SEC. 2. That this Act shall become effective July first, one thousand nine hundred thirty-seven. Effective date.

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed. Conflicting laws repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 5th day of March, A. D. 1937.

S. B. 156

CHAPTER 196

AN ACT TO AUTHORIZE COUNTY COMMISSIONERS OF GASTON COUNTY AND THE GOVERNING BOARDS OF OTHER POLITICAL SUBDIVISIONS OF SAID COUNTY TO REDUCE THE INTEREST ON TAX SALES CERTIFICATES AND ON UNPAID TAX FORECLOSURE JUDGMENTS.

The General Assembly of North Carolina do enact:

SECTION 1. All tax sales certificates hereafter issued by the tax collectors in any county, or the tax collector for any subdivision thereof shall bear interest from date of sale at the rate of eight per cent per annum for the first year, and six per cent thereafter until paid.

Interest rate on tax sales certificates.
Gaston County and sub-divisions.

SEC. 2. The governing board of the county or other political subdivision may, by resolution duly passed and recorded in the minutes of said governing board, authorize the settlement of all outstanding and unpaid tax sales certificates, and unpaid tax foreclosure judgments upon the payment of the actual costs incurred, the original amount for which said tax sales certificates were issued, plus interest at the rate of eight per cent from the date of said certificate of sale for a period of one year, and six per cent thereafter until date of payment.

Settlement of unpaid tax sales certificates and tax foreclosure judgments authorized.

SEC. 3. The costs in tax foreclosure proceedings hereafter instituted shall be taxed on the basis of one-half the amount provided by law for ordinary civil actions.

Costs in future tax foreclosure proceedings.

SEC. 4. The attorney's fee in each tax foreclosure suit, together with the actual costs of advertising required by law, shall be taxed as additional costs in each case.

Attorney's fee and advertising costs to be taxed as additional costs.

SEC. 5. That except as modified by this Act, the general law governing tax sales and foreclosure proceedings shall apply.

General law to govern except as herein modified.

Applies only to Gaston County and political subdivisions.

Conflicting laws repealed.

SEC. 6. This Act shall apply only to Gaston County, and the political subdivisions thereof.

SEC. 7. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 8. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 5th day of March, A. D. 1937.

S. B. 194

CHAPTER 197

AN ACT TO PROVIDE FOR JURY TRIALS IN THE RECORDERS COURTS OF ROBESON COUNTY.

The General Assembly of North Carolina do enact:

Ch. 434, Public-Local Laws, 1935, amended.

Right of jury trial in Recorder's Courts, Robeson County.

Jury of six from venire of twelve.

Residence qualification.

Deposit required.

Juror fees.

Ch. 634, Public-Local Laws, 1915, amended.

Each defendant given 4 peremptory challenges.

Prosecuting attorney given 2 challenges for each defendant.

No right to stand juror at foot of panel.

Conflicting laws repealed.

SECTION 1. That chapter four hundred and thirty-four Public-Local and Private Laws of North Carolina, session one thousand nine hundred and thirty-five, be amended to read as follows: "That either the Plaintiff or the Defendant in both Civil and Criminal Actions in the several Recorders Courts of Robeson County may demand and have a jury trial. The jury shall be composed of six qualified jurors drawn from a venire of twelve from a jury box furnished by the County Commissioners every two years to said recorders, said jurors to be residents of the Recorder Court District in which he serves. The party demanding a jury trial shall deposit with the recorder the sum of three (\$3.00) dollars before the trial, and each juror who serves shall receive the sum of fifty (50c) cents per diem."

SEC. 2. That section eight of chapter six hundred and thirty-four, Public-Local Laws of one thousand nine hundred and fifteen, be amended by striking out all of the words after the comma after the word "Jury" in line two down to and including the semi-colon after the words "Justice of the Peace" in line three, and inserting in lieu thereof the following: "That every person on joint or several trial for crimes and misdemeanors in the said Recorders Courts shall have the right of challenging peremptory, and without showing cause, four jurors for each defendant, and no more. The prosecuting attorney, on behalf of the state, shall have the right of challenging, peremptory, and without showing cause, two jurors for each defendant, and no more, and shall not have the right to stand any juror at the foot of the panel."

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 5th day of March, A. D. 1937.

S. B. 202

CHAPTER 198

AN ACT TO PROHIBIT THE SALE OF BEER OR OTHER ALCOHOLIC BEVERAGES WITHIN A CERTAIN DISTANCE OF MOUNT PISGAH BAPTIST CHURCH IN UNION COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful to issue to any person, firm or corporation any license for the sale of wine, beer or other alcoholic beverages, authorized to be sold under the Beverage Control Act of one thousand nine hundred and thirty-three, as amended by the Acts of one thousand nine hundred and thirty-five, within three hundred (300) yards of the Mount Pisgah Baptist Church, in Union County, North Carolina.

Issuance of license for sale of alcoholic beverages within 300 yards of Mt. Pisgah Baptist Church, Union County, prohibited.

SEC. 2. That all persons, firms, or corporations violating the provisions of this Act shall be guilty of misdemeanors and fined or punished in the discretion of the court.

Violation made misdemeanor.

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 4. That this Act shall be in full force and effect from and after May first, one thousand nine hundred and thirty-seven.

In the General Assembly read three times and ratified, this the 5th day of March, A. D. 1937.

S. B. 218

CHAPTER 199

AN ACT INCREASING THE BOARD OF EDUCATION OF HALIFAX COUNTY FROM THREE TO FIVE MEMBERS.

The General Assembly of North Carolina do enact:

SECTION 1. That the membership of the Board of Education of Halifax County be and is hereby increased from three to five members and R. C. Rives, R. L. Applewhite, A. G. Wilcox, Mrs. R. C. Josey, Jr., and Mrs. J. T. Thomason are hereby appointed as members of the Board of Education of Halifax County to serve for a two year term beginning the first Monday in April, one thousand nine hundred and thirty-seven, or until their successors are elected and qualified.

Membership, Board of Education, Halifax County, increased to 5 members.

Appointment of members.

Terms.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 5th day of March, A. D. 1937.

S. B. 220

CHAPTER 200

AN ACT TO AMEND CHAPTER TWO HUNDRED SIXTY-SIX OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-FIVE RELATIVE TO THE BETTER PROTECTION OF TROUT STREAMS IN CERTAIN SECTIONS OF JACKSON COUNTY.

The General Assembly of North Carolina do enact:

Ch. 266, Public-Local Laws, 1935, making unauthorized fishing on lands of another a misdemeanor, amended.

Extends application of said law to Canada, River and Mountain Townships, Jackson County.

Conflicting laws repealed.

SECTION 1. That section two of chapter two hundred sixty-six of the Public-Local Laws of one thousand nine hundred thirty-five be amended by inserting in line four of said section after the word "in" and before the word "Hamburg," the words "Canada, River, Mountain" thereby making the line read . . . "Act in Canada, River, Mountain, Hamburg and Cashiers Township in Jackson County."

SEC. 2. That section three of chapter two hundred sixty-six Public-Local Laws of one thousand nine hundred thirty-five be and the same is hereby amended by striking out the entire section and inserting in lieu thereof the following, "This Act shall apply only to Canada, River, Mountain, Hamburg and Cashiers Townships of Jackson County."

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 5th day of March, A. D. 1937.

S. B. 225

CHAPTER 201

AN ACT TO FIX THE SALARIES OF THE MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS AND TO PROVIDE FOR THE PAYMENT FOR THE EXTRA SERVICES AND EXPENSES OF THE CHAIRMAN OF THE BOARD OF COMMISSIONERS OF RANDOLPH COUNTY.

The General Assembly of North Carolina do enact:

Compensation of Commissioners, Randolph County.

Pay for extra services and expenses of Chairman of Board authorized.

SECTION 1. That the Board of County Commissioners of Randolph County is hereby authorized, empowered and directed to pay to each member of said board six (\$6.00) dollars per day and five (5c) cents per mile for each day in attendance of all regular and called meetings of said board.

SEC. 2. That the Board of Commissioners of said county is hereby authorized, empowered and directed to pay to the chairman of said board upon voucher and itemized statements being made, submitted to and approved by the board, for his services per diem and his expenses, including his traveling expenses

when done on official business connected with the duties of said office as chairman; *Provided*, however, that such payments for services and expenses as chairman shall not exceed an average of sixty (\$60.00) dollars per month.

SEC. 3. That section two of this Act shall not affect the per diem paid to the said chairman as provided for in section one of this Act.

SEC. 4. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 5. That this Act shall be in full force from and after its ratification.

In the General Assembly read three times and ratified, this the 5th day of March, A. D. 1937.

Limited to \$60
per month.

Per diem of Chair-
man unaffected.

Conflicting laws
repealed.

S. B. 242

CHAPTER 202

AN ACT TO AMEND THE CHARTER OF THE TOWN OF
PINK HILL IN LENOIR COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section seven of chapter thirty-one of the Private Laws of one thousand nine hundred and fifteen, be and the same is hereby repealed.

SEC. 2. That section seven of chapter four hundred and eighty-seven of the Private Laws of one thousand nine hundred and seven, be and the same is hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 5th day of March, A. D. 1937.

Ch. 31, Private
Laws, 1915,
prohibiting sale,
etc. of intoxicating
liquor in Pink Hill,
Lenoir County,
repealed.

Ch. 487, Private
Laws, 1907,
same effect.
repealed.

S. B. 201

CHAPTER 203

AN ACT TO AUTHORIZE ANY CITY OR TOWN IN CATAW-
BA COUNTY TO REMIT, CANCEL OR ADJUST STREET
AND SIDEWALK ASSESSMENTS, OR TO REASSESS FOR
STREET OR SIDEWALK IMPROVEMENTS.

The General Assembly of North Carolina do enact:

SECTION 1. Any city or town in Catawba County acting through its local governing body, whether said governing body is elected prior or subsequent to confirmation of the original assessment roll, may correct, cancel or remit any assessment for local improvements, including assessments for the paving of streets or sidewalks, or both, and may remit, cancel or adjust the interest or penalties on any such assessment.

Municipalities in
Catawba County,
authorized to cor-
rect, cancel, or
remit assessments
for local improve-
ments.

Governing bodies authorized to set aside assessments.

Power to make reassessments.

Act applies to all street or sidewalk assessments levied in municipalities in Catawba County.

Procedure for reassessment.

Reassessment without petition of property owners.

Method of determining amount of reassessment against respective tracts of land.

Limitation on re-assessments.

Resolution determining original total cost, when certified, prima facie evidence of correctness of total cost.

SEC. 2. The governing body of any city or town in said county shall have the power, when in its judgment there is any irregularity, omission, error or lack of jurisdiction rendering any such assessment either void or voidable, to set aside the assessments made by it in any local improvement district, and it also shall have the power to set aside the assessment made by it against one or more parcels or tracts of land in any improvement district without setting aside the assessments against other parcels or tracts of land in said district, and thereupon to make reassessments in the entire district, or to make a reassessment against one or more parcels or tracts of land in said district.

SEC. 3. The provisions of this Act shall apply to all street or sidewalk assessments heretofore levied in any city or town in said county, whether under the provisions of the respective charters of said cities or towns, whether under the provisions of chapter fifty-six, article nine, Consolidated Statutes of North Carolina, or whether under other Public, Public-Local or Private Acts.

SEC. 4. In case the governing body of any city or town in said county shall determine to set aside any assessment or assessments as above provided, and shall determine to levy assessments against any tracts or parcels of land by reason of said improvements, the procedure to be followed by the local governing body shall be that prescribed by chapter fifty-six, article nine, of the Consolidated Statutes of North Carolina, provided, however, that no petition signed by any of the property owners shall be required to be filed, but that such reassessment may be made without petition.

SEC. 5. The method of determining the amount to be reassessed against the tracts or parcels of land designated for reassessment shall be as follows: the original total cost of the improvement shall be determined, exclusive of so much of the cost as was incurred at street intersections and the share of railways and street railways; the total original cost, after making such deductions, shall be divided by the number of feet of property in the original assessment district fronting on the improvement, and the result shall be multiplied by the number of feet of frontage of the tracts or parcels of land to be reassessed. The amount so determined shall be reassessed against the respective parcels or tracts of land to be reassessed, *Provided* that in no case shall the amount reassessed exceed the amount by which the governing body shall determine that the fair market value of the tracts or parcels of land is enhanced by reason of the presence of such improvement as of the date of the adoption of the final resolution to reassess. The resolution of the governing body of the city or town determining the original total cost of the improvement at the time of the levying of the original assessment, when certified by the secretary of the governing body, shall be competent in evidence at any hearing, either in the Superior Court or before the local governing body,

and shall be prima facie evidence of the correctness of the original assessment as to total cost of improvement, subject, however, to the addition of costs actually incurred by the city by reason of the making of the improvement provided for in the next succeeding section.

SEC. 6. In addition to the amount of the original assessment, referred to in section five of this Act, the governing body may add any amount actually expended by the city in the payment of interest accrued and paid on any bonds issued to finance the original improvement, up to the date of the reassessment.

SEC. 7. That the preliminary resolution called for by section two thousand seven hundred and eight shall not be required in the case of such reassessment, otherwise, however, the procedure shall be the same as that prescribed by article nine, chapter fifty-six of the Consolidated Statutes, and the notice required by section two thousand seven hundred and twelve Consolidated Statutes shall be published, provided, however, that the governing body may in its discretion by resolution require the service of such notice personally on each property owner, or person having any interest, lien or estate in the lands affected at least ten days before such meeting. Such personal service shall be given in the same manner as the summons of the Superior Court is served. In case such notice is returned not served, then service shall be deemed complete by the publication of the notice provided by section two thousand seven hundred and twelve Consolidated Statutes, or at least ten days prior to the hearing.

SEC. 8. If a person whose property is assessed is dissatisfied either with the amount of the charge, or may desire in any way whatever to contest the validity of the reassessment, or any part thereof, he shall give notice within ten days after the confirmation of the reassessment roll that he takes an appeal to the next term of the Superior Court of Catawba County, and shall within five days thereafter serve the statement of facts upon which he bases his appeal on the mayor or secretary of the city or town making the reassessment.

SEC. 9. The provisions of article eight, chapter fifty-six of Consolidated Statutes of North Carolina, as to liens, interest, deferred installments and all the other provisions of said article not inconsistent herewith shall be applicable to such reassessments.

SEC. 10. If any clause, sentence, paragraph, or part of this Act shall, for any reason, be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Act, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SEC. 11. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A. D. 1937.

Subject to addition of costs incurred as provided by Sec. 6.

Addition of amount actually expended for interest on bonds to reassessment date.

Preliminary resolution not required.

Procedure.

Notice published.

Personal service of notice in lieu of publication authorized.

Service by publication.

Appeals to Superior Court.

Notice.

Service of statement of facts forming basis of appeal.

Application of Art. 8, Ch. 56, Consolidated Statutes.

Partial invalidity provision.

S. B. 206

CHAPTER 204

AN ACT TO REPEAL CHAPTER ONE HUNDRED SEVENTY-EIGHT PRIVATE LAWS ONE THOUSAND NINE HUNDRED AND TWENTY-ONE RELATING TO THE TAX COLLECTOR FOR THE TOWN OF BOSTIC AND TO AMEND CHAPTER TWO HUNDRED SIXTY-THREE PRIVATE LAWS ONE THOUSAND NINE HUNDRED THIRTEEN RELATING TO THE CHARTER OF THE TOWN OF BOSTIC.

The General Assembly of North Carolina do enact:

Ch. 178, Private
Laws, 1921,
repealed.

SECTION 1. That chapter one hundred seventy-eight Private Laws of one thousand nine hundred and twenty-one be, and the same is hereby repealed.

Ch. 263, Private
Laws, 1913, Town
of Bostic charter,
amended.

SEC. 2. That in addition to the powers and authority granted to municipalities by the general laws of the State of North Carolina and in addition to the powers and authority granted to the Town of Bostic by chapter two hundred sixty-three Private Laws of one thousand nine hundred and thirteen, said Town of Bostic and its officers are hereby granted the powers and authority hereinafter set forth and the charter of said town, being chapter two hundred sixty-three Private Laws of one thousand nine hundred and thirteen, is hereby amended as follows:

Commissioners,
Town of Bostic,
authorized to fur-
nish power and
light for town
and its citizens.

The Board of Commissioners of said town shall have power and authority to provide for the lighting of the streets, public grounds and public buildings and for the purpose of furnishing power and light to the citizens of said town or any other individual, firm or corporation within said town, at retail or wholesale, to make such reasonable rules and regulations governing the sale and management of its power plants, lines and equipment as the Board of Commissioners may deem to the interest of said town, and said commissioners are hereby authorized and empowered to erect, own and operate the necessary machinery, lines, fixtures, appliances, plants and equipment of every nature whatever for said purpose.

Authorized to make
regulations for
management of
power plants, etc.

Erection and opera-
tion of plants and
equipment au-
thorized.

Appointment of
tax collector.

Compensation
and bond.

Board may combine
office of Town
Clerk and Tax
Collector.

Powers of Tax
Collector.

SEC. 3. That the Board of Commissioners of the Town of Bostic are hereby authorized and empowered to appoint or elect a tax collector for said town and fix his compensation and to fix bonds in such amount and with such surety as the board may deem necessary, and that the office of the town clerk and tax collector may in the discretion of the Board of Commissioners be combined. The said town tax collector appointed pursuant to the provisions of this Act shall by virtue of his office be vested with all power and authority heretofore conferred on the tax collector of Rutherford County by chapter one hundred seventy-eight Private Laws of one thousand nine hundred twenty-one and shall likewise be vested with all power and authority within the Town of Bostic to collect the taxes imposed by the commissioners as is now vested in the tax collector of Ruther-

ford County to collect the taxes imposed by the County Commissioners.

SEC. 4. That the Board of Commissioners of said town are hereby authorized and empowered to appoint annually a tax assessor who shall list all real and personal property within the corporate limits of the Town of Bostic and make out tax abstracts, which shall be arranged in alphabetical order, at the time provided by the general law of the state applicable to municipalities and deliver the same to the commissioners or the town clerk, as may be directed by the commissioners, by the third Monday in July; and the town clerk may in the discretion of the commissioners be appointed as tax assessor.

SEC. 5. That the tax assessor on or before the third Monday in April of each and every year shall make advertisement in three or more public places in the Town of Bostic by posting a notice notifying all persons who own or have control of taxable property in the town on the first Monday in May to return to him on or before the last day of May a list of their taxable property in said town. Said list shall contain all taxable polls and a description of all property, real and personal, subject to taxation under the laws of the State of North Carolina, or the ordinances of the Town of Bostic, and shall be sworn to before the assessor by the person listing same. That the said tax assessor shall likewise make out a list of all taxable polls and owners of taxable property in the said town who shall have failed to return a list in the manner and within the time herein provided. Said tax assessor is hereby authorized and empowered in making up the tax abstracts of the Town of Bostic to use the tax assessment of the County of Rutherford applicable to the Town of Bostic and may adopt and copy same in making up said tax abstracts as far as necessary and when so made up the same shall be as effective as if the same had been listed by the owner with said assessor. The Board of Commissioners of said town shall have power and authority to revise or amend the assessments and correct the tax lists and shall as near as may be made make the tax lists correspond with the tax lists of the County of Rutherford applicable to the Town of Bostic on all subjects embraced in both lists.

SEC. 6. That as soon as the tax assessor shall have finished the assessment rolls and tax abstracts as provided herein he shall deliver same to the Board of Commissioners of said town and the said Board of Commissioners shall not later than the third Monday in August proceed to levy annually and cause to be collected for municipal purposes a tax on all taxable polls and on all property subject to taxation within the corporate limits of the said town as provided in the charter or by the general laws of the state and cause the tax books to be made up by the town clerk and which tax books shall as soon as completed be placed in the hands of the tax collector, who shall proceed

Tax Assessor for Town of Bostic authorized.

Duty to list property within Town and make abstracts.

Abstracts delivered to Town Commissioners or Clerk.

Town Clerk may be appointed Tax Assessor.

Public notice to list taxes.

Tax list Contents.

Verification.

Assessor to list taxable polls and property of owners failing to return list.

Tax assessments of Rutherford County applicable to Town used in making tax abstracts.

Town Commissioners authorized to revise assessments and correct tax lists.

Assessment rolls and tax abstracts delivered to Town Commissioners.

Annual tax levy.

Tax books placed in hands of Tax Collector.

Collections paid
to treasurer.

Tax lien attaches
according general
State law.

Sale and
foreclosure.

Right to redeem
property.

Tax lists, assess-
ments, levies, by
Town of Bostic,
for 1930-36, in-
clusive, validated.

Additional powers
granted; existing
powers, Town of
Bostic, unabridged.

Conflicting laws
repealed.

to collect the same and pay over the moneys as they are collected to the treasurer.

SEC. 7. That the lien of taxes due the Town of Bostic shall attach to all real estate and personal properties subject to taxation at the time and in the manner prescribed by the general laws of the state for county taxes and the same shall be subject to levy and sale and to foreclosure for the collection thereof at the same time and in the same manner prescribed by the general laws of the State of North Carolina applying to municipalities and the right to redeem by the taxpayer resulting from said levy and sale shall be the same as that provided by the general laws of the state applicable to municipalities.

SEC. 8. That the tax lists, assessments and levies heretofore made by the Board of Commissioners of the Town of Bostic for the years one thousand nine hundred thirty, one thousand nine hundred thirty-one, one thousand nine hundred thirty-two, one thousand nine hundred thirty-three, one thousand nine hundred thirty-four, one thousand nine hundred thirty-five and one thousand nine hundred thirty-six be and the same are hereby in all respects fully validated, ratified and approved notwithstanding any irregularities in connection therewith and notwithstanding any failure on the part of said Commissioners to observe and follow the requirements and provisions of the charter of said town or the general laws of the State of North Carolina relating thereto.

SEC. 9. That no powers now possessed by the Town of Bostic through or by virtue of the general laws of the State of North Carolina or by virtue of its charter shall be repealed or abridged by this Act, but such as are contained herein shall be in addition thereto.

SEC. 10. That all laws, or clauses of laws in conflict with this Act, are hereby repealed.

SEC. 11. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A. D. 1937.

S. B. 208

CHAPTER 205

AN ACT RESTORING THE SALARY OF THE SHERIFF, REGISTER OF DEEDS, AND CLERK OF THE SUPERIOR COURT OF FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

Salary of sheriff,
Forsyth County.

SECTION 1. The salary of the Sheriff of Forsyth County shall be five thousand dollars (\$5,000.00) per year, payable in equal monthly installments.

SEC. 2. That the salary of the Register of Deeds of Forsyth County shall be four thousand dollars (\$4,000.00) per year, payable in equal monthly installments.

Salary, Register of Deeds, Forsyth County.

SEC. 3. That the salary of the Clerk of the Superior Court of Forsyth County and ex-officio Clerk of the Forsyth County Court of Forsyth County shall be five thousand dollars (\$5,000.00), payable in equal monthly installments.

Salary of C. S. C. and Ex-officio Clerk, Forsyth County.

SEC. 4. That all laws and clauses of laws in conflict with this act are hereby repealed.

Conflicting laws repealed.

SEC. 5. That this Act shall be in full force and effect from and after July first, nineteen hundred and thirty-seven.

Effective date.

In the General Assembly read three times and ratified, this the 9th day of March, A. D. 1937.

S. B. 209

CHAPTER 206

AN ACT TO REGULATE THE GRAND JURY OF FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That at the first week of the first term of court for the trial of criminal cases in Forsyth County after the first day of July, one thousand nine hundred and thirty-seven, there shall be chosen a grand jury as now provided by law, and said grand jury shall serve until the first day of January, one thousand nine hundred and thirty-eight, and thereafter at the first week of the first term of the criminal court after the first days of January and July of each year there shall be chosen a grand jury to serve for a term of six months.

Selection of Grand Jury, Forsyth County.

Terms.

SEC. 2. The judge presiding at the time of the selection of the grand jury shall charge it as provided by law, and at any time the Judge of the Superior Court presiding over the criminal court of Forsyth County may cause said grand jury to assemble and may deliver unto said jury an additional charge.

Charge by presiding Judge.

Additional charge.

SEC. 3. The judge presiding at any term of criminal court of Forsyth County may in his discretion discharge any or all of the members of the grand jury or fill any vacancies occurring in the grand jury by reason of death, removal from the county, sickness, or otherwise, and any such vacancy or vacancies shall be filled by drawing sufficient jurors to fill said vacancy or vacancies from the jury box, and said juror or jurors so drawn shall take the oath prescribed by law and shall fill out the unexpired term of the juror or jurors whose places they were drawn to fill. The presiding judge shall have the power in his discretion to appoint an assistant foreman, and said assistant foreman so appointed shall in the absence or disqualification of the foreman discharge the duties of the foreman of said grand jury.

Judge authorized to discharge grand jurors.

Vacancies filled.

Appointment of assistant foreman authorized.

Duties.

Selection from
venire of 42 men
first week
of term.

Petit jurors.

Compensation of
Grand Jurors.

Conflicting laws
repealed.

SEC. 4. That at the first week of the terms of criminal court of Forsyth County at which a grand jury shall be selected in accordance with the provisions of this Act there shall be drawn and summoned forty-two men in the manner now provided by law from which a grand jury shall be selected as herein provided for, and the persons drawn for service on the grand jury for the week at which said grand jury is selected and who are not selected to serve on the grand jury shall serve on the petit jury: *Provided* that for the second week of the term at which the grand jury is chosen and for each week of other terms of the Superior Court of Forsyth County, civil and criminal, both regular and special, thirty jurors shall be drawn and summoned as provided by law.

SEC. 5. All members of the grand jury shall receive five dollars (\$5.00) per day for their service for every day devoted to the duties of the grand jury.

SEC. 6. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 7. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A. D. 1937.

H. B. 142

CHAPTER 207

AN ACT TO GOVERN THE ELECTION OF TOWNSHIP OFFICERS IN ROWAN COUNTY.

The General Assembly of North Carolina do enact:

Election of town-
ship officers by
county-wide vote.

Applies only to
Rowan County.

Conflicting laws
repealed.

SECTION 1. That hereafter all township officers shall be elected by a county-wide vote.

SEC. 2. That this Act shall apply only to Rowan County.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A. D. 1937.

H. B. 221

CHAPTER 208

AN ACT AUTHORIZING ELECTIONS BY SCHOOL DISTRICTS IN BUNCOMBE COUNTY FOR THE PURPOSE OF SUPPLEMENTING STATE SCHOOL FUNDS.

The General Assembly of North Carolina do enact:

School supplements
authorized for
Buncombe County
school districts.

SECTION 1. That any school district in the Buncombe County administrative school unit is hereby authorized and empowered to supplement any object or item of school expenditure within

said district, but in no event to provide for a term of more than one hundred eighty days.

SEC. 2. That in the event the State School Commission has not redistricted Buncombe County, as prescribed by law, then the State School Commission, with the advice of the Board of Education of Buncombe County, shall redistrict Buncombe County thereby determining the boundary lines of each district in the Buncombe County administrative unit, within thirty days after the ratification of this Act.

SEC. 3. That the school committee of any school district in the Buncombe County administrative unit may petition the Board of Education of Buncombe County for funds to supplement any object or item of school expenditure for said district; that upon the receipt of said petition, the said Board of Education, with the approval of the tax-levying authorities of Buncombe County, and with the approval of the State School Commission, in order to operate the school or schools in said district at a higher standard than that provided by state support, may supplement any object or item of school expenditures: *Provided*, that before making any levy for supplementing state budget allotments an election shall be held in each petitioning district to determine whether there shall be levied a tax to provide said supplemental funds, and to determine the maximum rate which may be levied therefor. Upon the request of the members of the Board of Education of Buncombe County the tax-levying authorities of said county shall provide for an election to be held under laws governing such elections as set forth in articles twenty-three, twenty-four and twenty-six of chapter ninety-five of the Consolidated Statutes of North Carolina, Volume III: *Provided*, that the rate voted shall remain the maximum until revoked or changed by another election.

SEC. 4. That only those qualified electors of the school district in which the election is being held shall be eligible to vote in said election.

SEC. 5. That, except as provided in this Act, the procedure prior to the holding of said elections and also subsequent thereto shall be the same as provided by law for supplementing state school funds in a county administrative unit.

SEC. 6. That nothing in this Act shall be construed as conferring additional powers to levy taxes on the tax-levying authorities of Buncombe County, but this Act shall be construed as a limitation on existing powers to levy taxes.

SEC. 7. That this Act shall apply only to Buncombe County.

SEC. 8. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 9. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A. D. 1937.

Limitation on length of term.

State School Commission, with advice of Buncombe Board of Education, directed to redistrict county.

Petition by committee of school district for supplemental funds.

Authorization of supplement.

Election as to tax levy in petitioning district.

Manner of holding election.

Rate voted to remain maximum until changed by future election.

Eligibility for voting.

Procedure for holding elections.

Act declared a limitation on existing powers to levy taxes.

Applicable only to Buncombe County.

Conflicting laws repealed.

H. B. 285

CHAPTER 209

AN ACT TO EXTEND THE BOUNDARIES OF POLICE JURISDICTION IN THE TOWN OF ROCKINGHAM, RICHMOND COUNTY.

The General Assembly of North Carolina do enact:

Police jurisdiction, Town of Rockingham, Richmond County, extended one-half mile from Eastern boundary.

SECTION 1. That the police jurisdiction for the Town of Rockingham, Richmond County, shall be and the same is hereby extended one-half mile from the Eastern boundary of the corporate limits of the Town of Rockingham, and the police officers and all policemen of said town are hereby authorized and empowered to exercise their full jurisdiction in said territory.

Conflicting laws repealed.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after the date of its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A. D. 1937.

H. B. 347

CHAPTER 210

AN ACT TO REPEAL CHAPTER ONE HUNDRED FORTY-SIX, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-THREE, ABOLISHING THE OFFICE OF DEPUTY TOWNSHIP CONSTABLE FOR WAYNESVILLE TOWNSHIP, HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

Ch. 146, Public-Local Laws, 1933, repealed, abolishing Deputy Township Constable, Waynesville Township.

SECTION 1. That chapter one hundred and forty-six of the Public-Local Laws, one thousand nine hundred and thirty-three, be and the same is hereby repealed, and the office of Deputy Township Constable for Waynesville Township is hereby abolished.

Conflicting laws repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A. D. 1937.

H. B. 358

CHAPTER 211

AN ACT TO PROVIDE FOR A CALENDAR IN THE CRIMINAL COURTS OF GREENE COUNTY.

The General Assembly of North Carolina do enact:

Solicitor directed to file calendar of criminal cases 10 days before court terms in Greene County.

SECTION 1. That the Solicitor of the Fifth Judicial District shall, on or before ten days prior to the beginning of each term of criminal court to be held in Greene County, prepare a calen-

dar of all cases on the docket, except capital felonies, and file same with the Clerk of Superior Court of said county at least ten days before the first day of the term.

SEC. 2. That the Clerk of Superior Court shall immediately thereafter make sufficient copies of said calendar and mail or deliver a copy thereof to each defendant on said docket or his or her attorney.

Copies of calendar to defendants.

SEC. 3. That no case on said calendar shall be called for trial except by consent or by order of court, before the day fixed by the calendar.

No case called except on day fixed by calendar; exceptions.

SEC. 4. That all witnesses shall be subpoenaed to appear on the date of the trial of the case for which they are subpoenaed, except witnesses who are to appear before the grand jury, and after they appear before said grand jury, they shall be excused until the day set for trial of the case in which they are witnesses.

Time for appearance of witnesses.

SEC. 5. That all cases docketed after the calendar has been made and filed with the Clerk of Superior Court may be placed on the calendar at the discretion of the solicitor.

Cases docketed after calendar filed.

SEC. 6. That witnesses shall be entitled to prove their attendance only for the day on which the case in which they are witnesses is set for trial or thereafter until the case is completed, except witnesses before the grand jury who shall prove for the days of attendance before the grand jury, in addition thereto.

Proof of attendance by witnesses.

SEC. 7. That this Act shall apply only to Greene County.

Applicable only to Greene County.

SEC. 8. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 9. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A. D. 1937.

H. B. 400

CHAPTER 212

AN ACT TO AMEND CHAPTER ONE HUNDRED NINETEEN OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-THREE, RELATIVE TO THE RECORDER'S COURT IN VANCE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one, chapter one hundred nineteen, of the Public-Local Laws of one thousand nine hundred thirty-three, be, and the same is hereby amended by striking out the words "twelve hundred" in line eleven between the words "county" and "dollars" in said section and inserting in lieu thereof "fifteen hundred"; and striking out the words "one hundred" in line twelve between the words "of" and "dollars" in said section and inserting in lieu thereof "one hundred twenty-five."

Ch. 119, Public-Local Laws, 1933, amended, to increase salary of Recorder, Vance County.

Conflicting laws repealed.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A. D. 1937.

H. B. 402

CHAPTER 213

AN ACT TO PROHIBIT THE SALE OF BEER, WINE, ALES AND INTOXICATING LIQUORS WITHIN THE TOWN OF WAGRAM, SCOTLAND COUNTY, AND WITHIN ONE MILE OF THE CORPORATE LIMITS OF SAID TOWN.

The General Assembly of North Carolina do enact:

"Liquor" and
"intoxicating
liquor" defined.

SECTION 1. As used in this Act, the word "liquor" or the phrase "intoxicating liquor" shall be construed to include alcohol, brandy, whiskey, rum, gin, beer, ale, porter, and wine, and in addition thereto any spirituous, vinous, malt, or fermented liquors, liquids, and compounds, whether medicated, proprietary, patented, or not, and by whatever name called, containing more than one per cent of alcohol by volume, which are fit for use for beverage purposes; *Provided*, this Act shall not include, nor apply to, medicines sold upon prescription of licensed physicians.

"Person" defined.

SEC. 2. As used in this Act, the word "person" shall mean and include natural persons, associations, co-partnerships, and corporations.

Sale, etc. of in-
toxicating liquor
prohibited within
one mile of
Town of Wagram,
Scotland County.

SEC. 3. No person shall sell, offer for sale, or have in his possession for the purpose of sale any intoxicating liquor, as defined in this Act, at any place within the corporate limits of the Town of Wagram in Scotland County or within one mile of such corporate limits. The possession of intoxicating liquors within the corporate limits of the Town of Wagram, or at any place within one mile thereof in Scotland County, by any person shall be prima facie evidence that such liquor is possessed for the purpose of sale.

Possession made
prima facie evidence
of possession for
sale.

SEC. 4. Any person who violates any of the provisions of this Act shall be guilty of a misdemeanor, and, upon conviction, shall be fined or imprisoned, or both, within the discretion of the court.

Violation made
a misdemeanor.

SEC. 5. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A. D. 1937.

H. B. 403

CHAPTER 214

AN ACT TO AMEND CHAPTER ONE HUNDRED AND THIRTY-FOUR, PUBLIC-LOCAL LAWS, EXTRA SESSION OF ONE THOUSAND NINE HUNDRED AND THIRTEEN, RELATING TO THE JURISDICTION OF THE RECORDER'S COURT OF CHOWAN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred thirty-four, Public-Local Laws of the Extra Session of one thousand nine hundred and thirteen, entitled "An Act to establish a Recorder's Court in Chowan County," be amended by striking out all of sub-section (b) of section seven of said Act after the word "have" in line two of said sub-section (b) and inserting in lieu thereof the following: "Exclusive original jurisdiction of all criminal offenses committed in the county below the grade of felony as now or hereafter defined by law and declared to be petty misdemeanors, and the same are hereby declared to be petty misdemeanors."

Ch. 134, Public-Local Laws, Extra Session, 1913, amended, granting Recorder's Court, Chowan County, exclusive original jurisdiction of petty misdemeanors.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A. D. 1937.

H. B. 442

CHAPTER 215

AN ACT CREATING THE OFFICE OF TAX COLLECTOR IN ORANGE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the office of sheriff and tax collector of Orange County, as now existing, may be separated by the Board of County Commissioners of Orange County as hereinafter provided.

Commissioners, Orange County, authorized to separate office of Sheriff and Tax Collector.

SEC. 2. That the Board of Commissioners of Orange County may, at its regular meeting in June, one thousand nine hundred and thirty-seven, and biennially thereafter, appoint a tax collector for Orange County for a term of two years, beginning July first, one thousand nine hundred and thirty-seven, and that said tax collector so appointed shall qualify and give bond payable to the State of North Carolina in such amount as the Board of Commissioners shall approve, and shall be responsible for the collection and settlement, as provided by law, for all taxes, whether general, special or privilege taxes, together with all delinquent taxes which may be turned over to said tax collector by the Board of Commissioners of Orange County.

Appointment of Tax Collector, Orange County, authorized.

Term.

Bond.

Responsible for collection and settlement of all taxes.

Commissioners
given full control
over Tax Collector.

Power to discharge
without notice.

Salary.

Office space, equip-
ment, clerical
assistance.

Fees or commissions
paid into salary
fund of county.

Definite compensa-
tion for tax
collector to be
fixed.

Powers and duties.

Bond required.

Premium paid by
County.

Collection of 1936
taxes continued by
sheriff until first
Monday in July,
1937.

Sheriff to make
settlement with
Commissioners.

1936 taxes remain-
ing unpaid turned
over to tax collector.

Settlement by tax
collector.

Detailed reports.

SEC. 3. That the Board of Commissioners for the County of Orange shall have full and complete control over the tax collector and his office, with power to discharge without notice for causes sufficiently satisfactory to said board, notwithstanding said collector may have been appointed for the term of two years; and said Board of Commissioners shall fix the salary for said tax collector, and order the same paid out of the salary fund of the county, and shall provide necessary office space, equipment, and clerical assistance, and pay therefor out of the salary fund of the county, except that all items incurred for equipment shall be paid from the general funds of the county. The salary so fixed and established shall be the full compensation of such tax collector, and any fees or commissions now allowed the sheriff or tax collector, or which may hereafter be allowed by law, or which may accrue to the tax collector hereunder, shall be turned over by him to the salary fund of the county, as it is the purpose and intention of this Act that the Board of County Commissioners shall fix definite compensation for said tax collector, and said compensation shall be the full amount received for the performance of the duties herein provided.

SEC. 4. That the tax collector hereunder shall have all the powers heretofore conferred, and all duties and penalties heretofore imposed by law upon the sheriff in his capacity as tax collector, and all such duties, powers and penalties are hereby transferred to said tax collector, including the right to collect all past due or delinquent taxes which may be turned over to said tax collector by said Board of Commissioners, all of said duties to be exercised and performed by said tax collector.

SEC. 5. That said tax collector shall, before entering the duties of his office, be required to execute such bond as the Board of County Commissioners may require, and the premium of such bond, or bonds, shall be paid for by the county out of the salary fund of said county.

SEC. 6. That the sheriff of Orange County shall continue to collect and account for all taxes for the year one thousand nine hundred and thirty-six up to the first Monday in July, one thousand nine hundred and thirty-seven, at which date said sheriff is directed to make a full and complete settlement with the Board of County Commissioners of Orange County to the end that the remaining amount of one thousand nine hundred and thirty-six taxes may be turned over by said Board of County Commissioners to the tax collector of Orange County as herein provided for.

SEC. 7. That the tax collector of Orange County shall make full and complete settlement with the Board of County Commissioners on or before the first Monday in October of each year for the taxes levied for the preceding year, and said reports shall be made out in detail, showing the full levy of taxes, the amounts collected, the amounts allowed by way of land sales,

the amounts allowed by way of errors and rebates, and the insolvents by name and amount. That the Board of County Commissioners shall carefully audit said annual reports and shall satisfy itself as to the correctness thereof before acceptance. In no event shall the new tax books be turned over to the tax collector until annual report for preceding year taxes has been audited, filed and accepted. That in addition to the annual settlements and reports hereinabove provided for, the tax collector shall furnish to the Board of County Commissioners at its regular meeting on the first Monday in each month a monthly report showing the progress made during the preceding month and the exact status of tax accounts for each and every year which have been placed with the tax collector for collection, this to the end that said monthly reports may afford the Board of County Commissioners exact information as to progress being made with tax collections.

SEC. 8. That the tax collector is hereby required to make daily deposits, or as often as collections amount to as much as one hundred (\$100.00) dollars in such banks as may be approved as county depositories of all funds collected by him, said deposits to be made in the name of Orange County with provision that same are to be withdrawn from the bank only on warrants duly signed by the treasurer and county accountant of said county.

SEC. 9. That the Board of Commissioners of Orange County may, in its discretion, combine the office of tax collector with any other elective or appointive office, and may, in its discretion, appoint such elective or appointive officer as tax collector in addition to his other duties, and one such person may hold both offices.

SEC. 10. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 11. That this Act shall be in full force and effect from and after its ratification, except as otherwise specified herein.

In the General Assembly read three times and ratified, this the 9th day of March, A. D. 1937.

Annual reports audited.

No new tax books furnished collector until audit and acceptance of report for preceding year.

Monthly reports required.

Deposits by tax collector in approved banks.

In name of Orange County.

Withdrawals.

Office of tax collector may be combined with other office.

Conflicting laws repealed.

H. B. 448

CHAPTER 216

AN ACT RELATIVE TO THE DUTIES OF THE COUNTY COMMISSIONERS OF PENDER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Pender County be not permitted to delegate any of their powers or duties.

SEC. 2. That the Board of County Commissioners of Pender County at their regular meeting on the first Monday in April, one thousand nine hundred and thirty-seven, designate one of their members as "County Manager," who shall have the fol-

Pender County Commissioners prohibited from delegating powers or duties.

"County Manager" for Pender County to be designated.

Powers and duties.

As County
Tax Supervisor.

As County
Purchasing Agent

To obtain and
submit estimates of
work to be done
for county.

To supervise work
contracted by
county; approve
bills.

To be employment
agent as to extra
employees, etc.

To be over-seer of
public buildings.

Days employed.

Compensation.

Conflicting laws
repealed.

lowing powers and duties and shall be responsible to the full board for the performance thereof:

(a) He shall be County Tax Supervisor and shall assume the duties fixed by law for such position.

(b) He shall be County Purchasing Agent and shall be charged with the duties of purchasing or approving the purchase of all items, replacements or supplies for the county or its several offices, and no item purchased shall be a valid charge against the county unless the order is approved and signed by him before delivery.

(c) To secure estimates of all work to be done and paid for by the county, to submit such estimates to the board at their regular meetings, or a meeting called for that purpose, for its approval, the board's action on such estimates to be final.

(d) To supervise all work contracted by the county and approve all bills in payment for any services rendered the county.

(e) To be employment agent for the employment of all extra or occasional employees of the county, such as clerical assistants, workers for minor repairs, etc.

(f) That he be over-seer of the care and maintenance of public buildings.

(g) That said County Manager shall be allowed one day in each week (preferably Monday) to attend to the duties required in this bill, and shall receive as compensation five dollars (\$5.00) per diem and mileage.

SEC. 3. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A. D. 1937.

H. B. 457

CHAPTER 217

AN ACT TO INCREASE THE MEMBERS OF THE BOARD OF EDUCATION OF BERTIE COUNTY FROM THREE TO FIVE.

The General Assembly of North Carolina do enact:

Board of Education,
Bertie County, in-
creased to 5
members.

Five districts
created; one mem-
ber selected from
each district.

Districts described.

SECTION 1. That from and after the expiration of the term of office of the members of the Board of Education of Bertie County, the said board shall consist of five members, to be selected as now provided or which may hereafter be provided by law: *Provided*, however, there shall be created five districts in Bertie County, and there shall be selected one person from each district to serve as a member of the Board of Education of said county, and the districts shall be numbered one, two, three, four, and five, and shall comprise the following townships:

(a) District number one shall be composed of Windsor Town- No. 1.
ship.

(b) District number two shall be composed of Merry Hill and No. 2.
Whites Townships.

(c) District number three shall be composed of Colerain and No. 3.
Mitchell Townships.

(d) District number four shall be composed of Roxobel and No. 4.
Woodville Townships.

(e) District number five shall be composed of Snakebite and No. 5.
Indian Woods Townships.

SEC. 2. That those participating in the primary, both as can- Restricted to
didates and voters, shall be restricted to the qualified voters of district in primary.
said district: *Provided, however*, that any candidate from said
districts shall be voted upon by the voters in the entire county County-wide vote
in the General Election. in election.

SEC. 3. That the provisions of this Act requiring that each of Not applicable to
the five districts in Bertie County shall have a member on the appointments by
Board of Education of said county, shall not apply to those ap- 1937 General
pointed to serve on the Board of Education by the General As- Assembly.
sembly of one thousand nine hundred thirty-seven.

SEC. 4. That all laws and clauses in conflict with this Act Conflicting laws
are hereby repealed. repealed.

SEC. 5. That this Act shall be in full force and effect from
and after its ratification.

In the General Assembly read three times and ratified, this
the 9th day of March, A. D. 1937.

H. B. 459

CHAPTER 218

AN ACT TO PROVIDE FOR SALE OF REAL PROPERTY
OWNED AND HELD BY MUNICIPALITIES IN CA-
TAWBA COUNTY]

The General Assembly of North Carolina do enact:

SECTION 1. Whenever any city or town in Catawba County
shall own real estate which is not required for public purposes,
and the fact that such property is not required for a public
purpose is declared by the governing body of said city or town,
said real estate may be sold by said city or town in the follow-
ing manner:

Municipalities in
Catawba County
authorized to sell
real estate not re-
quired for public
purpose.

Manner of sale.

When an offer is received for any such property, the govern-
ing body may cause notice to be published in any newspaper of
general circulation published in said city or town (or if there
is no newspaper published in said city or town, then in any
newspaper of general circulation published in Catawba Coun-
ty), once each week for two successive weeks. Said notice shall
set forth a general description of the property, the amount of-
fered therefor, and a statement that unless said offer is raised

Notice of offer
published in
newspaper.

Contents of notice.

If no increased bid, after 15 days from first publication, sale and conveyance authorized.

Advertisement of increased bid.

Deposit by bidders.

Forfeiture.

Provisions of Act declared in addition to existing provisions for sale of real property.

Conflicting laws repealed.

within fifteen days following the first publication, by a bid exceeding the original offer by such percentage as the governing body may fix and set forth in said statement (not exceeding five per centum), the governing body will, in its discretion, proceed to authorize and complete the sale. Upon the expiration of fifteen days following first publication of said notice, if no increased bid has been made as herein set forth, the governing body may, in its discretion, authorize the sale and order execution of an appropriate conveyance therefor upon payment of the purchase price. If an increased bid is submitted in the manner herein provided, the governing body may advertise said bid in the same manner as the original bid. The governing body may, in its discretion, in connection with any such bid or increased bid, require that the bidder give security or make a deposit, in such amount as the governing body may fix, to be forfeited upon failure of the bidder, after acceptance of his bid, to pay the purchase price and take delivery of the deed.

SEC. 2. The provisions of this Act shall be construed as in addition to all other provisions of law authorizing or prescribing the method of sale of real property owned by said cities and towns in Catawba County.

SEC. 3. All laws and clauses of laws in conflict with this Act are, to the extent of such conflict and to the extent that they apply to cities and towns in Catawba County, hereby repealed.

SEC. 4. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A. D. 1937.

H. B. 500

CHAPTER 219

AN ACT TO REQUIRE THAT THE RAILROAD STATION IN THE TOWN OF WALSTONBURG BE KNOWN AND NAMED "WALSTONBURG."

Preamble: Confusion on account of name of Railroad Station at Walstonburg.

Whereas, the railroad station in the Town of Walstonburg, North Carolina, has been designated as "Fieldsboro," and *whereas*, by reason of that fact considerable confusion has resulted both as to passenger and freight service to and from the said town; and

Desirable to have town and station with same name.

Whereas, it is greatly to the convenience of those having business with the said town that the name of the station and the name of the town shall be the same:

The General Assembly of North Carolina do enact:

Norfolk Southern Railroad Station at Walstonburg to be designated and known as "Walstonburg."

SECTION 1. That the Norfolk Southern Railroad Station within the Town of Walstonburg shall be designated and known as "Walstonburg," and as such shall be recognized by the said railroad company and any other common carrier of passengers and freight using the said station as points of shipment or de-

parture or for the receipt and handling of freight and as a destination for passengers.

SEC. 2. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A. D. 1937.

H. B. 506

CHAPTER 220

AN ACT TO RATIFY AND VALIDATE THE PROCEEDINGS HERETOFORE TAKEN FOR THE ISSUANCE OF BONDS FOR ERECTING AND EQUIPPING A NEW HIGH SCHOOL BUILDING IN SHELBY SCHOOL DISTRICT OF CLEVELAND COUNTY AND ACQUIRING A SITE THEREFOR, AND TO AUTHORIZE A TAX FOR THE PAYMENT THEREOF.

Whereas, the County Board of Education of Cleveland County entered an order on July twenty-fifth, one thousand nine hundred thirty-five, creating the Shelby School District of Cleveland County, comprising the same territory as the former Shelby Special Charter School District number thirty-three of Cleveland County which is now maintained as the Shelby Special Bond Tax Unit of Cleveland County for the levy and collection of taxes for the payment of bonds theretofore issued by said special charter district, and also comprising the same territory as the present Shelby City Administrative Unit; and

Whereas, at an election held in said Shelby School District of Cleveland County a majority of the qualified voters in said district voted in favor of the issuance of one hundred and fifty thousand dollars bonds for the purpose of erecting and equipping a new high school building in said school district and acquiring a site therefor and the levying of a sufficient tax on all taxable property in said school district for the payment of said bonds; and

Whereas, a statement showing the number of votes cast for and against the bonds and the number of voters registered and qualified to vote at the election and declaring the result of the election was prepared and published in a newspaper published and circulating in said school district; *Now, Therefore*,

The General Assembly of North Carolina do enact:

SECTION 1. Subject to any action or proceeding which shall be commenced within thirty days after the publication of the statement of result of the election mentioned in the foregoing preambles, all acts and proceedings including the election proceedings, heretofore taken for the issuance of the bonds voted at said election, are hereby ratified and validated and when said bonds shall have been sold, delivered and paid for at not less than par and accrued interest, they will constitute valid obliga-

Preamble: Shelby School District, Cleveland County, created by County Board of Education.

Territory described.

Election carried for bond issue to erect and equip high school building and for tax levy.

Statement declaring result of election, etc. published.

Proceedings for bond issue, validated.

Conditions.

Validity of bonds.

Special tax levy
for payment of
bonds.

tions in accordance with their terms and for the payment of the principal and interest of said bonds the Board of County Commissioners of Cleveland County shall levy annually a special tax, ad valorem, on all taxable property in said school district sufficient to pay the principal and interest of the bonds as such principal and interest shall become due.

SEC. 2. This Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A. D. 1937.

H. B. 507

CHAPTER 221

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF NEW HANOVER COUNTY TO APPROPRIATE FUNDS TO COMPLETE PROJECT KNOWN AS THE AMERICAN LEGION RECREATIONAL PARK.

The General Assembly of North Carolina do enact:

Commissioners,
New Hanover
County, authorized
to appropriate
funds for American
Legion Recreational
Park.

SECTION 1. That the County Commissioners of New Hanover County are hereby authorized to appropriate from the General Funds of New Hanover County, a sum not to exceed twenty-five thousand dollars (\$25,000.00), the said fund to be used toward the project known as the American Legion Recreational Park, the said property being owned by the County of New Hanover; *Provided, however,* that the appropriation of these funds shall be made by the county commissioners at such time as in the opinion of the Commissioners of New Hanover County that the said funds are available, and will not jeopardize other expenditures that the county commissioners may deem necessary.

Conflicting laws
repealed.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A.D. 1937.

H. B. 512

CHAPTER 222

AN ACT TO MAKE THE TERM OF OFFICE OF THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF ANDREWS TWO YEARS FROM AND AFTER THE DATE OF THEIR ELECTION.

The General Assembly of North Carolina do enact:

Two year terms for
Mayor and Aldermen,
Town of Andrews.

SECTION 1. That beginning with the election of a mayor and board of four aldermen to be elected on the first Tuesday of May, one thousand nine hundred thirty-seven, the Mayor and Board of Aldermen shall be elected for and hold office for a term

of two years from and after their election; and that thereafter in the Town of Andrews there shall be held an election for Mayor and Board of Aldermen only every two years which Mayor and Board of Aldermen shall hold office for a period of two years from and after their election.

Biennial elections.

SEC. 2. That nothing in this Act shall be construed to effect any change or alteration in the manner of electing the Mayor and Board of Aldermen for said Town of Andrews but leaves said law or laws in connection with the same intact except to extend the term of office of Mayor and Board of Aldermen from one to two years.

Act intended only to extend terms of office from one to two years.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A. D. 1937.

H. B. 515

CHAPTER 223

AN ACT FIXING THE COMPENSATION OF THE MEMBERS OF THE BOARD OF EDUCATION OF EDGECOMBE COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That the Chairman of the Board of Education of Edgecombe County shall receive as compensation for his services a monthly salary in the sum of twenty-five (\$25.00) dollars.

Salary of Chairman, Board of Education, Edgecombe County.

SEC. 2. That each and all of the members of the Board of Education of Edgecombe County, other than its chairman, shall receive as compensation for their services a monthly salary in the sum of ten (\$10.00) dollars.

Compensation of members of Board.

SEC. 3. That each and all of the members of the Board of Education of Edgecombe County, including its chairman, shall receive, in addition to the above compensation, the sum of five (\$5.00) dollars for each and every special meeting.

Additional compensation for chairman and members for special meetings.

The salaries and compensation provided for in section one, two and three of this Act shall be paid by the County of Edgecombe.

Salaries paid by Edgecombe County.

SEC. 4. That all laws or clauses of laws in conflict herewith are hereby repealed.

Conflicting laws repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A. D. 1937.

H. B. 518

CHAPTER 224

AN ACT TO AMEND CHAPTER FOUR HUNDRED AND EIGHTY-THREE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE, RELATIVE TO THE SALARIES OF PUBLIC OFFICES IN GRANVILLE COUNTY, SO AS TO ALLOW THE REGISTER OF DEEDS TO APPOINT AN ADDITIONAL DEPUTY REGISTER OF DEEDS, AND TO ALLOW THE COUNTY COMMISSIONERS TO SET HIS OR HER SALARY.

The General Assembly of North Carolina do enact:

Ch. 483, Public-Local Laws, 1935, amended.

Appointment of additional Deputy Register of Deeds, Granville County, authorized.

Salary, powers, duties.

SECTION 1. That chapter four hundred eighty-three of the Public-Local Laws of one thousand nine hundred thirty-five, be, and the same is hereby amended by adding at the end of section seven the following:

"In his discretion the Register of Deeds may appoint an additional Deputy Register of Deeds, his or her salary to be fixed by the Board of County Commissioners, and such additional deputy as herein allowed shall possess all the powers and duties conferred upon, and be subject to, all the liabilities imposed upon Deputy Registers of Deeds by the general law."

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A. D. 1937.

H. B. 522

CHAPTER 225

AN ACT TO AUTHORIZE THE COMMISSIONERS OF CASWELL COUNTY TO LEVY A SPECIAL TAX FOR THE SUPPORT OF THE POOR, MAINTENANCE OF COUNTY HEALTH WORK, AND FOR OPERATING THE SUPERIOR COURTS OF SAID COUNTY.

The General Assembly of North Carolina do enact:

Commissioners, Caswell County, authorized to levy special tax for 1937, 1938

Purpose of levy.

Conflicting laws repealed.

SECTION 1. That the Board of County Commissioners of Caswell County be, and is hereby authorized and empowered to levy a special tax of eight cents on the one hundred dollars valuation of property in said county for the year one thousand nine hundred and thirty-seven and the year one thousand nine hundred and thirty-eight, the amount of said tax so levied and collected to be used in providing for the poor of the county, maintaining the county health work, and operating the Superior Courts of said county, and for no other purpose whatsoever.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A. D. 1937.

H. B. 526

CHAPTER 226

AN ACT TO ENLARGE THE TERM OF OFFICE OF THE REGISTER OF DEEDS FOR VANCE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That at the general election for the year, one thousand nine hundred and thirty-eight and quadrennially thereafter, there shall be elected by the qualified voters of Vance County, a register of deeds, who shall serve for a term of four years from the first Monday in December following his election, and until his successor is elected and qualified.

Vance County Register of Deeds to be elected for term of four years.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A. D. 1937.

H. B. 534

CHAPTER 227

AN ACT TO VALIDATE THE DELAY IN THE FORECLOSURE OF TAX SALE CERTIFICATES FOR THE TOWN OF AHOSKIE, HERTFORD COUNTY.

Whereas, the Town Commissioners of the Town of Ahoskie, Hertford County, due to financial conditions, have seen fit to postpone the foreclosure of tax sale certificates for the years one thousand nine hundred and thirty-one, one thousand nine hundred and thirty-two, one thousand nine hundred and thirty-three and one thousand nine hundred and thirty-four and the advertisement for one thousand nine hundred and thirty-five taxes; *Now, Therefore*,

Preamble: Tax foreclosures, 1931-1934, advertisement for 1935 taxes, Town of Ahoskie, postponed.

The General Assembly of North Carolina do enact:

SECTION 1. That all proceedings heretofore taken by the Board of Commissioners of the said Town of Ahoskie, Hertford County, in delaying foreclosure of tax sale certificates for the years one thousand nine hundred and thirty-one, one thousand nine hundred and thirty-two, one thousand nine hundred and thirty-three, one thousand nine hundred and thirty-four, and the advertisement of sale of land for unpaid one thousand nine hundred and thirty-five taxes, be and the same are hereby, in all respects, validated.

Proceedings of Commissioners, Town of Ahoskie, validated.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A. D. 1937.

H. B. 539

CHAPTER 228

AN ACT TO CREATE A TAX COMMISSION FOR CHIMNEY ROCK TOWNSHIP IN RUTHERFORD COUNTY.

Preamble: Real estate boom in Chimney Rock Township, Rutherford County.

Excessive valuation placed on real estate in said Township.

Taxpayers unable and unwilling to pay taxes based on such valuations.

Collection of taxes, a confiscation of property.

Expedient to appoint commission to reassess property and equalize valuations.

Appointment of Tax Commission of Chimney Rock Township, Rutherford County, authorized.

Duties.

Applications for reassessment.

Date for filing.

Whereas, an unusual real estate boom existed in Rutherford County, North Carolina, and especially in Chimney Rock Township, for some seven or eight years beginning about one thousand nine hundred twenty-six; and

Whereas, due to said boom an excessive valuation was placed upon the real estate in said township by the tax appraisers of the county in the regular quadrennial assessments for the years one thousand nine hundred twenty-nine and one thousand nine hundred thirty-three, which valuation in many instances is largely in excess of the true value of the same; and

Whereas, many taxpayers of said township have been unable and unwilling to pay their taxes based upon said excessive and unreasonable valuations; and

Whereas, the collection of said taxes on the valuation so fixed will amount to a confiscation of said property; and

Whereas, it is expedient that a commission be appointed for the purpose of reassessing said property and placing a valuation on said property which is reasonable and equitable and in harmony with the values of other like property in said county; *Now, Therefore*,

The General Assembly of North Carolina do enact:

SECTION 1. That the County Commissioners of Rutherford County be, and they are hereby authorized and empowered to appoint three freeholders of said Rutherford County to be designated as the Tax Commission of Chimney Rock Township, who shall have power and authority and whose duty it shall be to hear and consider any application for revaluation and reassessment of any property within said township upon which taxes are now due, based upon the valuation fixed by the tax assessors in the regular quadrennial assessments for the years one thousand nine hundred twenty-nine or one thousand nine hundred thirty-three.

SEC. 2. That any person or corporation owning real estate within said township and who has not paid the taxes thereon in full for the year one thousand nine hundred twenty-nine and all years thereafter, up to and including one thousand nine hundred thirty-six, who may feel that the valuation fixed upon their said property in either the year one thousand nine hundred twenty-nine or one thousand nine hundred thirty-three in the regular quadrennial assessments for said years, or either of same, is excessive and unreasonable, may file application with said commission on or before September first, one thousand nine hundred thirty-seven, asking said commission to revalue and appraise said property and assess taxes for said years or any of the same for which taxes have not been paid upon the valua-

tion so fixed by said board and it shall be the duty of said commission to consider and pass upon said application and to fix the true valuation of said property and the assessment for any and all of said years for which said taxes have not been paid shall be based upon the valuation fixed by said commission.

SEC. 3. That the County Commissioners in the selection of said Tax Commission shall appoint not more than two of said commission from any one political party.

SEC. 4. That said commission shall be required to report to the County Commissioners their action and determination upon said petitions within thirty days after said valuation is so fixed by said commission and the County Commissioners, County Auditor and Tax Collector of said county are hereby authorized and directed to correct the tax books of said county with reference to said property to conform to the report of said commission and to receive the amount of taxes due the county and receipt in full therefor based upon said valuation and to correct the county tax records accordingly.

SEC. 5. That the Town of Lake Lure and its officers are hereby authorized and directed to accept and adopt the valuation so fixed by said commission and to revise their tax levies and assessments in accordance therewith and to collect any unpaid taxes based upon said revised valuation: *Provided, however*, that the provisions of this Act shall not apply to any person, firm, or corporation using municipal bonds of said town in the payment of taxes due by said person, firm, or corporation.

SEC. 6. That any person, firm, or corporation filing the petition hereinbefore provided for and who shall obtain a revaluation of property under the same shall be required to pay all taxes due up to and including one thousand nine hundred thirty-six on or before October first, one thousand nine hundred thirty-seven, upon the said property so revalued: *Provided*, the Board of Commissioners of Rutherford County may in their discretion extend the time for the payment of said taxes beyond October first, one thousand nine hundred thirty-seven, to such time as they may deem proper and expedient.

SEC. 7. That said commission shall serve until the first Monday in October, one thousand nine hundred thirty-seven, and not thereafter and shall receive such pay and compensation for their services as may be fixed by the County Commissioners of Rutherford County, which shall be paid by the taxpayer filing the petition herein provided for.

SEC. 8. That all laws, or clauses of laws, in conflict with this Act are hereby repealed.

SEC. 9. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A. D. 1937.

Duty of commission to fix true valuation.

Assessment based on valuation fixed by commission.

Not more than two members of commission to be from same political party.

Reports to County Commissioners.

Correcation of tax books

Town of Lake Lure directed to adopt Commissions' valuations. Revision and collection.

Not applicable to taxpayer using Town bonds to pay taxes.

Payment upon revaluation.

Commissioners, Rutherford County, given discretion to extend time for payment.

Termination of commission.

Compensation.

Conflicting laws repealed.

H. B. 556

CHAPTER 229

AN ACT AUTHORIZING BOTH CRIMINAL AND CIVIL CAUSES BROUGHT ORIGINALLY IN THE SUPERIOR COURT TO BE TRANSFERRED TO THE GENERAL COUNTY COURT OF BERTIE COUNTY.

The General Assembly of North Carolina do enact:

Transfer of cases pending in Superior Court, Bertie County, to General County Court, provided for.

Consent necessary.

Applies to civil and criminal cases.

Trial de novo upon preserved.

Trial de novo upon appeal.

Conflicting laws repealed.

SECTION 1. That in all civil and criminal causes now pending, or which may hereafter be brought to the Superior Courts of Bertie County, and of which said General County Court has jurisdiction, the Clerk of the Superior Court of Bertie County shall with the consent of the attorney for the defendant in criminal causes, and of the attorney of both the plaintiff and defendant in civil causes, expressed in writing, and filed in his office, transfer said causes both criminal and civil to the said General County Court for trial, the same as if originally brought in said court.

SEC. 2. That from all judgments in such causes, both criminal and civil, there may be an appeal by the defendant in criminal causes, and by plaintiff or defendant, or both, in such civil causes.

SEC. 3. That on the taking of such appeals by the parties in such action, criminal or civil, no statement of case on appeal need be made and said causes shall be tried de novo in the Superior Court the same as if no such removal had been made.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A. D. 1937.

H. B. 559

CHAPTER 230

AN ACT TO VALIDATE TAX SALES IN BERTIE COUNTY AND TOWN OF WINDSOR

The General Assembly of North Carolina do enact:

Tax sales proceedings for 1934-35-36, by Bertie County and Town of Windsor, validated.

Conflicting laws repealed.

SECTION 1. That all acts and things done by the Board of County Commissioners of Bertie County, and the Board of Commissioners of the Town of Windsor, relating to the sale of lands of the delinquent taxpayers for taxes due said county and town for the years one thousand nine hundred and thirty-four, one thousand nine hundred and thirty-five, and one thousand nine hundred and thirty-six, be, and the same are hereby, in all respects, validated.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A. D. 1937.

H. B. 568

CHAPTER 231

AN ACT TO VALIDATE CERTAIN ACTS OF THE ASSISTANT CLERK OF THE SUPERIOR COURT OF HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That any of the acts heretofore done by Assistant Clerk of the Superior Court of Haywood County in the probating of deeds and instruments for registration wherein W. G. Byers, Clerk of the Superior Court of Haywood County was either the grantor, or grantee, or an interested party, be and they are hereby in all respects approved and validated.

Acts of Assistant C. S. C., Haywood County in probating instruments in which Clerk interested party, validated.

SEC. 2. That all laws or clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified this, the 9th day of March, A. D. 1937.

H. B. 579

CHAPTER 232

AN ACT AMENDING CHAPTER ONE HUNDRED NINE, PRIVATE LAWS ONE THOUSAND NINE HUNDRED THIRTY-THREE, THE SAME BEING ENTITLED "AN ACT RELATING TO SPECIAL ASSESSMENTS LEVIED BY THE CITY OF GREENSBORO".

The General Assembly of North Carolina do enact:

SECTION 1. The time for payment of any or all special assessments or installments of special assessments heretofore levied by the City of Greensboro for local improvements, together with all or any part of the interest accrued thereon, may be extended by resolution of the City Council of said city adopted before July first, one thousand nine hundred thirty-nine, upon such terms and conditions as may be prescribed by such resolution, so that such special assessments, installments and interest shall become due and payable in not more than ten equal annual installments, payable in each year on the same date that such assessments were payable under the original resolution confirming such assessments beginning in the year one thousand nine hundred thirty-seven, with interest on de-

Extension of time to pay special assessments for local improvements levied by Greensboro, authorized.

Payable in not more than 10 equal annual installments.

Interest on deferred installments.

Advance payments not prevented.

Extensions, without discrimination.

Upon default of installment or interest, entire unpaid balance payable.

Collection procedure.

Foreclosure suit authorized.

City authorized to purchase property sold by foreclosure.

Special assessments levied by Greensboro validated.

Pending litigation not affected.

Conflicting laws repealed.

ferred installments at the same rate as originally prescribed; *Provided, however*, first, that such extension shall not prevent the payment of any assessment or interest at any time; *Provided* second, that all assessments contained in the same assessment roll may be extended without discrimination in favor of or against any property, except that assessments in arrears may be extended without extending assessments not in arrears.

SEC. 2. Upon default in the payment when due of any special assessment, installment thereof or interest thereon, hereinbefore or hereafter levied by the City of Greensboro, the entire unpaid balance of such special assessment shall then become due and payable, and the said city may enforce the same through the procedure prescribed by law for the collection of delinquent taxes, or, in the discretion of its governing body, may institute suit in the Superior Court of Guilford County and enforce the collection of the total unpaid balance of such special assessment, with interest, in the manner prescribed for the foreclosure of mortgages; *Provided, however*, that the said city may bid on and become the purchaser of any property sold through foreclosure proceedings as herein authorized.

SEC. 3. All special assessments heretofore levied by the City of Greensboro for local improvements are hereby validated; *Provided*, that nothing in this Act shall affect litigation pending at the time of its ratification.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 5. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A. D. 1937.

H. B. 598

CHAPTER 233

AN ACT TO APPOINT ONE MEMBER OF THE BOARD OF WATER COMMISSIONERS OF THE CITY OF HENDERSONVILLE.

The General Assembly of North Carolina do enact:

J. W. Bailey appointed member of Board of Water Commissioners, Hendersonville.

SECTION 1. That pursuant to provisions contained in chapter one hundred thirteen of the Private Laws of the Extra Session of one thousand nine hundred twenty-one entitled "An Act to amend the charter of the City of Hendersonville," J. W. Bailey be, and he is hereby elected and appointed a member of the Board of Water Commissioners of the City of Hendersonville for a term of six years. His term of office shall begin at the expiration of his present term on January first, one thousand nine hundred and thirty-eight, all as provided in the above mentioned Act.

Term of six years.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A. D. 1937.

H. B. 608

CHAPTER 234

AN ACT PROHIBITING CARNIVAL COMPANIES AND THE LIKE FROM OPERATING IN RICHMOND COUNTY, MARK'S CREEK TOWNSHIP EXCEPTED.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm, or corporation engaged in the business of a carnival company or show of like kind, moving pictures, and vaudeville, museums, menageries, merry-go-rounds, ferris wheels, riding devices, or an aggregate of shows, amusements, eating places, riding devices, or any of them operating together on the same lot or contiguous lots or streets, traveling from place to place, whether owned or actually operated by separate persons, firms or corporations, or not, filling week-stand engagements or giving week-stand exhibitions, under canvas or not, to show or operate in Richmond County, with the exception of Mark's Creek Township in said county.

Traveling carnival companies, etc. prohibited from operating or showing in Richmond County.

SEC. 2. This Act shall not apply to circuses or to vaudeville companies showing in an established theatre.

Mark's Creek Township excepted.

SEC. 3. Any person, firm or corporation violating this Act shall be guilty of a misdemeanor and shall be fined or imprisoned in the discretion of the court, and each day's operation or showing of said carnival company and the like, as defined in section one hereof, shall constitute a separate offense.

Exemptions.

Violation made a misdemeanor.

Each day's operation a separate offense.

SEC. 4. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A. D. 1937.

H. B. 612

CHAPTER 235

AN ACT RELATING TO THE JURY COMMISSION OF CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That in accordance with the provisions of chapter one hundred and nine, Public-Local Laws, one thousand nine hundred and thirty-one, creating a Jury Commission for Cherokee County, Harve Whitaker, of Andrews, North Carolina, Tom

Appointment of members to Jury Commission, Cherokee County.

Terms.

Conflicting laws repealed.

King of Ranger, North Carolina and E. M. Reese, of Murphy, North Carolina, be and they are hereby appointed to serve as members of the Jury Commission for a period of two years from and after the tenth day of March, one thousand nine hundred and thirty-seven.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A. D. 1937.

H. B. 614

CHAPTER 236

AN ACT TO PROTECT SILER CITY WATER SUPPLY FROM POLLUTION.

Preamble: Rocky River, Chatham County, dammed to supply water for Siler City.

Use of water for domestic and industrial consumption. Municipal lake stocked with fish.

Necessary to protect stream from pollution and to protect fish.

Necessary to regulate method of fishing.

Seining Rocky River above certain point prohibited.

Acts tending to pollute water of stream above point designated, prohibited.

Regulations of N. C. State Board of Health applicable.

Whereas, the Town of Siler City, North Carolina, has constructed a dam and impounded water for its water supply, which dam and water supply is located on Rocky River, Chatham County; and

Whereas, said water supply is now being used by the Town of Siler City for domestic and industrial consumption; and

Whereas, the said municipal lake is stocked with fish; and

Whereas, to better protect the health of the people using water that is filtered from said lake, it is necessary that said stream be protected from pollution, and that the fish in said stream be protected because of many disease carrying substances that they destroy; and

Whereas, in order to protect fish placed in said lake by the Town of Siler City, and to avoid the pollution of the said water supply, it is necessary to regulate the method of fishing from said stream: *Now, Therefore*,

The General Assembly of North Carolina do enact:

SECTION 1. That no person, or persons, shall seine Rocky River, in Chatham County, at any time, at any point on said river above the municipal water dam on said stream, which is located on property conveyed to said municipality by R. B. Edwards and wife and by Hurley Fox et al, and no person, or persons, shall wade, walk, bathe, swim, or otherwise put their body in said stream, or any portion of their body, nor commit any act, or aid in the commission of any act, that will tend to pollute the waters of said stream whatsoever, at and above the point herein referred to.

SEC. 2. That all rules and regulations as laid down by the North Carolina State Board of Health pertaining to the protection of sources of water supply for municipalities of North Carolina shall apply to the Siler City Municipal Lake and water supply, and the watershed thereof, and be strictly enforced, and especially shall no substances, or dead bodies, be left on the said

stream, or watershed within five miles of said stream, that will, or could, pollute the water supply of the Town of Siler City.

SEC. 3. That all fishing in Rocky River in Chatham County, on land owned by the Town of Siler City, North Carolina, is hereby prohibited, except the person, or persons, doing such fishing be the holder of an unrevoked permit, issued by the Town Clerk of the Town of Siler City, and then such fishing can only be done by complying with the rules and regulations that may be from time to time enacted and laid down by the Board of Commissioners of the Town of Siler City, and no person, or persons, shall go upon the land, or water-lake, of the Town of Siler City on Rocky River, except he have a written permit from, or be an employee of, the said town, and then only under such rules and regulations as said town may by its Board of Commissioners from time to time prescribe.

Fishing in Rocky River on land owned by Siler City prohibited except by permit.

Regulations.

Permits and regulations for entry upon land and water.

SEC. 4. That an employee, or employees, of the Town of Siler City, when necessity requires, may go into the waters of the Municipal Lake of the Town of Siler City, for any purpose deemed necessary in the maintenance and protection of said lake and water supply.

Siler City employees excepted in case of necessity.

SEC. 5. That this Act shall not repeal any law of the State of North Carolina now in force for the protection of municipal water supplies, but shall be known as an enabling Act.

No law repealed now in force for protecting municipal water supplies.

SEC. 6. That any person violating any of the provisions of this Act shall be fined not exceeding twenty-five dollars (\$25.00), or imprisoned not exceeding thirty days, in the discretion of the court.

Punishment for violations.

SEC. 7. That the Mayor of the Town of Siler City, as elected from time to time, shall have jurisdiction of the violation of this Act, or any part thereof, and may try any person, or persons, charged with the violation thereof, under the same rules and regulations governing the trial of cases before Justices of the Peace.

Mayor, Siler City, given jurisdiction of violations.

SEC. 8. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A. D. 1937.

H. B. 621

CHAPTER 237

AN ACT TO AMEND CHAPTER TWO HUNDRED AND THIRTY-TWO OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-THREE, RELATIVE TO REDEMPTION OF REAL ESTATE SOLD FOR TAXES IN HERTFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and thirty-two of the Public-Local Laws of one thousand nine hundred and thirty-three, be and the same is hereby amended by striking out the

Ch. 232, Public-Local Laws, 1933, allowing 5 years to redeem property sold for taxes, amended to exempt Hertford County.

Conflicting laws repealed.

word "Hertford" in line five of section one and in lines one and two of section three of said chapter, it being the intent and purpose of this Act to exempt Hertford County from the provisions of said Act relating to redemption of land purchased by Hertford County at tax sales.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A. D. 1937.

H. B. 635

CHAPTER 238

AN ACT TO AMEND CHAPTER TWENTY-ONE, OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE, RELATIVE TO INCREASING COMPENSATION OF THE MAYOR AND ALDERMEN OF THE TOWN OF CAROLINA BEACH.

The General Assembly of North Carolina do enact:

Ch. 21, Private Laws, 1935, amended, increasing compensation of Mayor and Aldermen, Town of Carolina Beach.

SECTION 1. That chapter twenty-one, Private Laws of one thousand nine hundred and thirty-five be and the same is hereby amended by striking out all of section three in said chapter and inserting in lieu thereof the following: "Sec. 3. That the said Mayor and members of the Board of Aldermen shall each receive, as compensation for their services, the sum of seventy-five dollars (\$75.00) annually, to be paid in four equal installments of eighteen dollars and seventy-five cents (\$18.75) each, which said sums shall be in full compensation for all services rendered."

Conflicting laws repealed.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A. D. 1937.

H. B. 636

CHAPTER 239

AN ACT RELATING TO THE SETTLEMENT AND COLLECTION OF BACK TAXES DUE THE TOWN OF CAROLINA BEACH.

The General Assembly of North Carolina do enact:

Aldermen, Town of Carolina Beach, authorized to settle, adjust, etc. back taxes.

SECTION 1. That the Board of Aldermen of the Town of Carolina Beach, is hereby fully authorized, empowered, and directed to collect, compromise, settle, or adjust, in its discretion,

any and all back taxes upon the tax records as due to the said town. Back taxes referred to in this section shall include all taxes due for the tax year one thousand nine hundred and thirty-four and prior thereto.

Taxes included.

SEC. 2. That the settlement, compromise or adjustment of back taxes as provided in section one hereof, shall operate to fully settle, extinguish, and discharge the debt and/or lien of said back taxes.

Tax debt or lien fully discharged upon settlement.

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A. D. 1937.

S. B. 182

CHAPTER 240

AN ACT TO AUTHORIZE CALDWELL COUNTY TO ESTABLISH AND MAINTAIN A COUNTY LAW LIBRARY.

The General Assembly of North Carolina do enact:

SECTION 1. The Board of Commissioners of Caldwell County is hereby authorized to establish and maintain a county law library, to accept gifts and bequests for that purpose, and from time to time to adopt and amend reasonable rules and regulations for the use thereof.

Commissioners, Caldwell County, authorized to establish and maintain law library.

Regulations for use to be adopted.

SEC. 2. Any judge or solicitor of North Carolina, any Senator or Representative from Caldwell County, any officer of Caldwell County or of any town or city situate within said county, any person having a civil or criminal case in either the Superior Court of Caldwell County, the Recorder's Court of Caldwell County, or the Municipal Court of the City of Lenoir, any representative of the press reporting the trial of cases and any and all lawyers now or hereafter engaged in the practice of law within Caldwell County may use the library without charge, subject to the rules and regulations enacted by the Board of County Commissioners.

Persons authorized to use library.

SEC. 3. The following fees shall be taxed as a part of the costs in cases tried in the Superior Court of Caldwell County, in Caldwell County Recorder's Court and in the Municipal Court of the City of Lenoir.

Fees taxed as part of costs in cases tried in certain courts in county.

(1) Criminal cases:

(a) Misdemeanors—fifty cents.

(b) Felonies—one dollar.

Amounts.

(2) Civil cases—one dollar.

In the event of acquittal of the failure of any defendant to pay the costs, the fees above mentioned shall not be taxed against Caldwell County or the City of Lenoir.

Not to be taxed against Caldwell County or City of Lenoir.

Court clerks to collect costs; make monthly reports.

Collections remitted by clerks to C. S. C.

Deposited in special fund.

Appointment of Library Committee by Caldwell Bar Association, authorized.

Power to purchase books and equipment.

Limitation on purchases.

Committee Chairman and C. S. C. authorized to sign checks.

Inventory of law books now owned by Caldwell County required.

Entered on minutes of Board of County Commissioners.

Semi-annual reports.

Semi-annual report of receipts and expenditures required of C. S. C.

Books and equipment, property of Caldwell County.

Employment of librarian authorized.

Compensation.

Violation of regulations a misdemeanor.

Privilege of use of library refused to person convicted of second offense.

SEC. 4. The clerks of each of said courts shall collect such costs, shall make a monthly report thereof to the Chairman of the Board of County Commissioners and to the Chairman of the Library Committee of the Caldwell County Bar Association. The costs so collected by the Municipal Court of Lenoir and by the Recorder's Court of Caldwell County shall be remitted by the clerks thereof on or before the tenth day of the following month to the Clerk of the Superior Court of Caldwell County, who shall deposit same, together with such fees collected by his office, in a special account to be known as "Caldwell Law Library Fund."

SEC. 5. The unincorporated association known as Caldwell Bar Association shall annually appoint, or authorize its president to appoint, a library committee of three active lawyers; and the committee so elected or appointed shall have power to purchase books and equipment for Caldwell Law Library—such purchases at no time to exceed the amount of funds then on deposit; and the Chairman of the Library Committee and the Clerk of the Superior Court are authorized and empowered to sign checks upon such account in payment of the books and/or equipment so purchased.

SEC. 6. The Chairman of the Library Committee for the year one thousand nine hundred thirty-seven and the Clerk of the Superior Court of Caldwell County are hereby required to make an inventory of all law books now owned by Caldwell County and in the office of said clerk or in his custody—listing each book by name—and to have such inventory entered upon the minutes of the Board of County Commissioners.

SEC. 7. The Chairman of the Library Committee, to be elected or appointed from time to time as heretofore stated, shall on the first Monday of June and December of each year file a written, itemized report, under oath, of all books and equipment purchased during the preceding six months period and the Clerk of the Superior Court shall likewise make a written report, under oath, showing the amounts received from each court, the amount expended and the balance on hand.

SEC. 8. All books now on hand and all books and equipment purchased as herein provided, and all books received as gifts and bequests shall be and remain the property of Caldwell County.

SEC. 9. The Library Committee of the Caldwell Bar Association, in the event the funds are sufficient, may employ some suitable person as librarian and pay the compensation of such person out of the funds hereinbefore mentioned.

SEC. 10. Any person, firm or corporation violating any rule and regulation adopted by the Board of County Commissioners under the authority herein conferred shall be guilty of a misdemeanor and shall be subject to a fine of not exceeding fifty dollars or to imprisonment not exceeding thirty days. In the event of a second conviction, for violation of such rules or regulations, such person, firm or corporation shall be deprived of

the privilege of using such library or any branch thereof for a period of twelve months.

SEC. 11. Nothing herein contained shall be construed as authorizing the Caldwell Bar Association, or any committee thereof, to create any debt or obligation for or on behalf of Caldwell County.

No authority to
Caldwell Bar As-
sociation to create
debt for county.

SEC. 12. This Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A. D. 1937.

H. B. 241

CHAPTER 241

AN ACT TO AMEND CHAPTER FIVE HUNDRED AND FORTY-SEVEN, PUBLIC-LOCAL LAWS, ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE, PROHIBITING KILLING QUAIL IN ALEXANDER COUNTY WITH PUMP OR AUTOMATIC SHOTGUN.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter five hundred and forty-seven, Public-Local Laws of one thousand nine hundred and thirty-five, be amended by striking out the period at the end thereof and inserting a comma and adding the following:

“Unless the same is plugged so as to limit the load to three shells.”

Ch. 547, Public-
Local Laws,
1935, amended, to
allow killing quail
in Alexander County
with automatic
shotgun if gun
plugged to limit
load to 3 shells.

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A. D. 1937.

H. B. 263

CHAPTER 242

AN ACT RELATING TO COMMISSIONS ALLOWED THE SHERIFF OF HYDE COUNTY FOR COLLECTION OF TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. That in making settlement with the County Commissioners of Hyde County for any year, the sheriff of said county shall be allowed his regular commissions on all taxes collected for the year for which he is making settlement, whether said taxes were paid to the county accountant or to the sheriff himself, and in his final settlement he shall be allowed the full amount of fees as shown by the tax books for which he is making settlement.

Sheriff, Hyde
County, allowed
commissions on all
taxes collected.

Compensation for holding Superior Court terms.

SEC. 2. That the Board of Commissioners of Hyde County are hereby authorized and directed to pay to the sheriff of said county for holding each term of the Superior Court in said county such sum, not exceeding seventy-five dollars (\$75.00), as they may deem advisable and adequate.

Conflicting laws repealed.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A. D. 1937.

H. B. 305

CHAPTER 243

AN ACT TO REGULATE THE QUADRENNIAL RE-ASSESSMENT OF REAL ESTATE IN ALLEGHANY COUNTY.

The General Assembly of North Carolina do enact:

Commissioners, Alleghany County, authorized to re-value real estate in County.

SECTION 1. That the Board of Commisisoners of Alleghany County shall meet on the first Monday in April, one thousand nine hundred thirty-seven, and determine whether or not the real estate of the county shall be revalued by horizontal increase or reduction or by continuing the present valuation as listed; and the said Board of Commissioners of Alleghany County is hereby authorized and empowered to revalue the real estate of Alleghany County by horizontal increase or reduction or by the appointment of assessors and appraisers as set out in the general law covering the quadrennial reassessment of real estate, or by continuing the present value of real estate as listed.

Procedure for revaluation.

Equalization of assessments.

SEC. 2. That said Board of Commissioners of Alleghany County is further authorized and empowered to increase or decrease the assessed value of any parcel of real estate in said county for the purpose of taxation where, in their judgment, it is not on a parity with the general level of assessed values in said county. The said commissioners, before increasing the assessed value of any parcel of real estate, shall cause notice to be given to the owner of the time and place that the matter will be considered, to the end that said owner may appear before said Board of Commissioners and present any facts that he may have relative to the question of whether or not the assessed value of his property should be increased.

Assessed value increased only after notice and opportunity for hearing given owner.

Conflicting laws repealed.

SEC. 3. That all laws and clauses of laws in conflict herewith are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A. D. 1937.

H. B. 360

CHAPTER 244

AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF CATAWBA COUNTY AND/OR THE GOVERNING BODY OF ANY MUNICIPALITY IN SAID COUNTY TO MAKE ADJUSTMENTS WITH TAXPAYERS AS TO PENALTIES, INTEREST AND COSTS.

The General Assembly of North Carolina do enact:

SECTION 1. That the County Commissioners of Catawba County and/or the governing body of any municipality in said county be, and they are, hereby authorized and empowered to make such adjustments of any penalties, costs and interest, which may be due by any taxpayer of Catawba County and/or any municipality therein, by reason of unpaid taxes for the year one thousand, nine hundred and thirty-three and all years prior thereto, as in their discretion may be for the best interest of both the county, municipality and taxpayer.

Adjustment of penalties, etc. on unpaid taxes, 1933 and prior years, due Catawba County or municipalities therein, authorized.

SEC. 2. That all laws and clauses of law in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A. D. 1937.

H. B. 366

CHAPTER 245

AN ACT TO AMEND CHAPTER THIRTY-THREE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-FIVE AND TO RATIFY THE POSTPONEMENT OF SALES OF LAND FOR TAXES IN THE COUNTY OF ASHE AND TO AUTHORIZE THE ISSUING OF ALIAS SUMMONS IN TAX FORECLOSURE PROCEEDINGS.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter thirty-three of the Public-Local Laws of one thousand nine hundred and thirty-five, be, and the same is hereby amended by the addition of the following sections thereto:

Ch. 33, Public-Local Laws, 1935, amended.

“(a) That actions to foreclose all tax certificates of sales of land in Ashe County for the years one thousand nine hundred twenty-eight, one thousand nine hundred twenty-nine, one thousand nine hundred thirty, one thousand nine hundred thirty-one, one thousand nine hundred thirty-two, one thousand nine hundred thirty-three, one thousand nine hundred thirty-four, and one thousand nine hundred thirty-five, of which certificates the County of Ashe is the owner and upon which actions have not already been commenced, may be instituted at any time prior

Tax foreclosure actions by Ashe County, as to 1928-1935 taxes, authorized.

Conditions.

Tax sales, regardless of postponement, ratified.

Alias and pluries summons in pending foreclosure actions, authorized, if issued before Jan. 1, 1938.

No commissions allowed except in discretion of Board.

Ch. 33, Public-Local Laws, 1935, amended further.

Attorney's fees in tax foreclosure suits.

Division of fees where two attorneys involved.

Applies only to Ashe County. Conflicting laws repealed.

to January first, one thousand nine hundred thirty-eight, and all tax sales of lands regardless of postponement by the Board of County Commissioners are hereby ratified and confirmed.

(b) That in all actions upon such certificates which have already been commenced and in which alias and pluries summons have not been legally issued as prescribed by law, alias and pluries summons may issue at any time prior to January first, one thousand nine hundred thirty-eight, and when said alias or pluries summons are issued, the chain of summons may be kept up as now prescribed by law.

(c) That in no event shall any sheriff or tax collector receive any commissions upon the amounts of such tax certificates of sale not collected by him or upon any unpaid taxes turned in by him upon settlement which later may be paid: *Provided, however*, that the Board of County Commissioners may allow commissions or reasonable compensation in their discretion to any person employed or authorized by them to collect back taxes."

SEC. 2. That said chapter thirty-three of the Public-Local Laws of one thousand nine hundred thirty-five, be, and the same is hereby further amended by striking out the period at the end of section two, inserting a comma, and adding the following: "and with reference to all tax foreclosure suits which may have been brought heretofore or may be brought hereafter under this Act, said attorney fees shall not exceed two and fifty one hundredths dollars (\$2.50) if payment is made after summons is issued and complaint filed and prior to any other action thereon; and shall not exceed five dollars (\$5.00) if payment is made prior to final judgment thereunder; and shall not exceed ten dollars (\$10.00) in any event. If the legal work in connection with said tax foreclosures shall have been commenced by one attorney and shall be carried on or completed by another attorney, then said attorney fees shall be divided as to the Board of County Commissioners shall seem just and proper."

SEC. 3. That this Act shall apply to Ashe County only.

SEC. 4. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A. D. 1937.

H. B. 381

CHAPTER 246

AN ACT TO CREATE A FIRE DISTRICT FOR THE PURPOSE OF LEVYING TAXES THEREIN CONSISTING OF ROANOKE ISLAND OUTSIDE OF MANTEO AND AUTHORIZING COOPERATION WITH MANTEO IN FIRE PROTECTION.

The General Assembly of North Carolina do enact:

SECTION 1. A fire district to be known as the Roanoke Island Fire District is hereby created as a municipal corporation. Said fire district consists of all of Roanoke Island in Dare County, North Carolina, except that part thereof within the corporate limits of Manteo. The said fire district is hereby created for the purpose of providing means to secure fire protection for property within said district.

Roanoke Island Fire District created.

All of Roanoke Island in Dare County, except Manteo, included.

Purpose.

SEC. 2. For the purpose of providing funds for securing fire protection in said district, the Board of Commissioners of Dare County are hereby authorized and empowered to annually levy taxes on all real and personal property within said district at a rate not exceeding twenty-five cents (25c) on each one hundred dollars (\$100.00) in value on taxable property therein. The said tax is to be levied at the same time other taxes are levied in said county and collected in the same manner as other taxes are collected.

Annual tax levy authorized to provide funds for fire protection.

Tax rate limited.

Collected as other taxes in Dare County.

SEC. 3. That the Board of Commissioners of Dare County are authorized, empowered and directed to cause to be paid over to the governing authorities of the Town of Manteo all of the proceeds of taxes levied and collected under the authority of this Act, and said taxes so levied and collected shall be used exclusively for said purpose.

Payment of tax proceeds to Town of Manteo, authorized.

SEC. 4. That the governing authorities of the Town of Manteo are authorized and empowered to receive the funds collected from taxes levied as aforesaid and use said funds exclusively for the purpose of providing fire equipment, maintaining same and providing fire protection within the fire district herein organized, or using the same in conjunction with taxes levied and collected by the Town of Manteo and used for maintaining its fire department. The Town of Manteo is hereby fully authorized and empowered to provide fire protection within the said fire district and make provision for the purchase of suitable fire fighting equipment, which may be necessary for providing reasonable fire protection within said territory. Fire fighting equipment purchased by funds from taxation within said district shall remain the property of the said district and shall be plainly designated by proper markings thereon indicating ownership thereof, but same shall be and remain in the custody and control of the Town of Manteo for use by its fire department which shall serve jointly the Town of Manteo and the said fire district.

Town of Manteo directed to use said funds to provide fire protection within district.

Purchase of fire fighting equipment authorized.

Equipment to remain property of district.

Custody, control and use.

Annual account
to Commissioners.

Report of fire pro-
tection activities
required.

Conflicting laws
repealed.

SEC. 5. The governing authorities of the Town of Manteo shall annually on or before the first day of June in each year, make a report to the Board of Commissioners of Dare County, giving full information as to funds received from the taxes herein levied and the use and application thereof, and shall at the same time furnish to the said Board of Commissioners of Dare County covering the activities authorized by and under the provisions of this Act.

SEC. 6. All laws and parts of laws in conflict herewith are hereby repealed.

SEC. 7. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A. D. 1937.

H. B. 386

CHAPTER 247

AN ACT TO REPEAL CHAPTER TWO HUNDRED NINETY, PUBLIC-LOCAL LAWS, ONE THOUSAND NINE HUNDRED THIRTY-THREE, RELATING TO FISHING IN CERTAIN STREAMS IN CATAWBA COUNTY.

The General Assembly of North Carolina do enact:

Ch. 290, Public-
Local Laws, 1933,
repealed, making
uniform state fishing
regulations applicable
to Catawba County.

Conflicting laws
repealed.

SECTION 1. That chapter two hundred ninety, Public-Local Laws, one thousand nine hundred thirty-three, be and the same is hereby repealed; it being the intent and purpose of this Act to make the uniform state fishing regulations applicable to all the waters of Catawba County.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A. D. 1937.

H. B. 443

CHAPTER 248

AN ACT TO AMEND CHAPTER ONE HUNDRED FIFTY-FIVE OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION ONE THOUSAND NINE HUNDRED AND TWENTY-FIVE, AND CHAPTER TWO HUNDRED SEVENTY-FIVE OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION ONE THOUSAND NINE HUNDRED AND TWENTY-NINE, AND CHAPTER ONE HUNDRED THIRTY-SIX OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE, RELATING TO THE SALARIES OF PUBLIC OFFICERS OF ORANGE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section six of chapter one hundred fifty-five of the Public-Local Laws of North Carolina, session one thousand nine hundred and twenty-five, which was changed by section two of chapter two hundred seventy-five of the Public-Local Laws of North Carolina, session one thousand nine hundred and twenty-nine, be, and the same is hereby amended by striking out all of said section after the word "Section" in line three thereof, and inserting in lieu thereof the following: "That the Clerk shall appoint a deputy clerk who shall receive such salary as may be determined by the Board of Commissioners of Orange County, not to exceed one thousand two hundred (\$1,200.00) dollars per annum."

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect on and after the first day of April, one thousand nine hundred and thirty-seven.

In the General Assembly read three times and ratified, this the 10th day of March, A. D. 1937.

Ch. 155, Public-Local Laws, 1925, as amended by Ch. 275, Public-Local Laws, 1929, amended.

Appointment of deputy clerk authorized.

Limitation on salary.

Conflicting laws repealed.

Effective date.

H. B. 449

CHAPTER 249

AN ACT TO AMEND CHAPTER FOUR HUNDRED THIRTEEN OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION OF ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE RELATING TO THE COLLECTION OF TAXES IN PENDER COUNTY, AND SALARY OF TAX COLLECTOR.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred thirteen of the Public-Local Laws of North Carolina, session one thousand nine hundred and thirty-five, be amended by striking out section five and substituting the following in lieu thereof: "On the first Monday in April, one thousand nine hundred and thirty-seven, the Commissioners of Pender County shall turn over the tax books and records of all delinquent taxes, for the year one thousand nine hundred and thirty-five, and the years prior thereto, to the then duly appointed or elected and acting Tax Collector of Pender County, for the collection of said taxes for said years; and that hereafter all taxes that shall become delinquent shall be returned to the Tax Collector of Pender County for collection immediately after settlement has been made, as required by law, for such taxes as current taxes; that the Tax Collector of Pender County shall deposit, report and account for such delinquent tax collections in the same manner as is required for current taxes."

Ch. 413, Public-Local Laws, 1935, amended.

Commissioners, Pender County, directed to deliver delinquent tax books, 1935, and prior years, to Tax Collector.

Tax Collector to collect all delinquent taxes.

Reports on collections.

Compensation
of collector.

SEC. 2. Should the collectible current taxes of Pender County be decreased when the duly elected tax collector takes office, as provided in an Act passed at the one thousand nine hundred and thirty-seven session of the General Assembly of North Carolina, providing for his election and fixing his salary or in any year thereafter so that he would not receive his full salary of two thousand four hundred (\$2,400.00) dollars as provided therein, then and in that event he shall be paid two per cent (2%) on delinquent taxes collected by him, provided he shall not be paid a salary in excess of two thousand four hundred (\$2,400.00) dollars for any one year.

Maximum.

Conflicting laws
repealed.

SEC. 3. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A. D. 1937.

H. B. 452

CHAPTER 250

AN ACT TO PERMIT THE BOARD OF COMMISSIONERS OF NEW HANOVER COUNTY TO EXPEND MONEY FOR THE DEVELOPMENT AND MAINTENANCE OF GREEN- FIELD PARK AND GREENFIELD LAKE.

The General Assembly of North Carolina do enact:

Tax levy and ap-
propriation, New
Hanover County,
authorized for de-
velopment of Green-
field Lake, Green-
field Park and
Playground.

SECTION 1. That the Board of Commissioners of New Hanover County, be, and they are hereby authorized, empowered and directed to levy and appropriate, annually, a sum not exceeding two cents on the one hundred dollars of the assessed value of the real and personal property taxable in said county, which said sum shall be used and expended under the direction and control of said Board of Commissioners under such rules and regulations, or by such other agencies as it from time to time may prescribe, for the purpose of aiding, encouraging, and/or supporting the development and maintenance of Greenfield Lake and Greenfield Park and Playground, and to increase the value, use and facilities of said property as a park and playground, thereby promoting the health, prosperity and general welfare of the people of New Hanover County.

Expenditures under
direction of County
Commissioners.

Purpose.

Levy and appropria-
tion subject to ap-
proval by majority
voters at election.

SEC. 2. That the said Board of Commissioners of New Hanover County shall not raise, levy or appropriate money under this Act, or levy and tax hereunder, unless and until this Act shall have been approved by a majority of the qualified voters of said county, at an election to be held as provided in this Act.

Special election to
be called in June,
1937, on question
of approval of
this Act.

SEC. 3. That the Board of Commissioners of New Hanover County are hereby authorized and directed to call a special election to be held during the month of June one thousand nine

hundred and thirty-seven, for the purpose of submitting the question of the approval of this Act to the voters of said county. The said Board of Commissioners shall, for at least thirty days preceding said election, give public notice of the time and places for holding said election, and purpose thereof, by publication in one or more newspapers published in said county. Said election shall be held and conducted in the same manner as provided by law for holding elections for members of the General Assembly; *Provided, however*, that said Board of Commissioners shall order a new registration and appoint the registrars and judges of election. That the votes shall be counted at the close of the polls and returns made to said Board of Commissioners on the second day next after said election, and said Board of Commissioners shall tabulate and declare the results of the election, all of which shall be recorded in the Minutes of the Board of Commissioners, and no other recording and declaration of the result of said election shall be necessary. The ballots to be used in said election shall have printed upon them the words: "For the Act to aid in the development of Greenfield Park and Greenfield Lake" and "Against the Act to aid in the development of Greenfield Park and Greenfield Lake." All qualified voters who favor the levy of the tax herein provided for shall vote, "For the Act to aid in the development of Greenfield Park and Greenfield Lake" and all qualified voters who are opposed thereto shall vote "Against the Act to aid in the development of Greenfield Park and Greenfield Lake."

SEC. 4. In the event that a majority of the qualified electors of said county shall vote: "For the Act to aid in the development of Greenfield Park and Greenfield Lake" at said election, the Board of Commissioners shall levy the tax not exceeding two cents on the one hundred dollars valuation of property in said county as herein directed, and shall use the funds derived from said tax for any one or more, or all of the purposes authorized by this Act.

SEC. 5. That the Board of Commissioners of New Hanover County be and they are hereby authorized and empowered to pass and enact all reasonable ordinances, rules and regulations in reference to the control, use, development and maintenance of said park and playground. Any person, firm or corporation violating the terms and provisions of said rules, ordinances and regulations shall be guilty of misdemeanor and shall be fined not more than fifty dollars or imprisoned not more than thirty days.

SEC. 6. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 7. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A. D. 1937.

Notice of election.

Manner of conducting election.

New registration.

Returns.

Tabulation and declaration of election results.

Ballots described.

Issue submitted.

Tax to be levied by Commissioners, if majority votes for levy.

Use of funds.

Commissioners authorized to pass ordinances, rules, and regulations.

Violation of ordinances, etc. made misdemeanor.

Conflicting laws repealed.

H. B. 508

CHAPTER 251

AN ACT TO CONFER CIVIL JURISDICTION UPON THE
COUNTY RECORDER'S COURT OF COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

Recorder's Court,
Columbus County,
given jurisdiction
over civil actions
where either party
county resident.

SECTION 1. That there is hereby conferred upon the Recorder's Court of Columbus County already established under article nineteen of chapter twenty-seven of the Consolidated Statutes, civil jurisdiction to try and determine civil actions wherein the party plaintiff or defendant is a resident of that county.

Jurisdiction defined.

SEC. 2. That the jurisdiction of such court in civil actions shall be as follows:

Concurrent with J. P.

(a) Jurisdiction concurrent with the justice of the peace within said county;

Concurrent with
Superior Court in
contract actions, not
exceeding \$1,000.

(b) Jurisdiction concurrent with the Superior Court in all actions founded on contract, wherein the amount involved, exclusive of interest and cost, does not exceed one thousand dollars;

Concurrent with
Superior Court in
other actions, not
exceeding \$500.

(c) Jurisdiction concurrent with the Superior Court in actions not founded upon contract, wherein the amount involved, exclusive of interest and cost, does not exceed the sum of five hundred dollars;

Concurrent with
Superior Court in
claim and delivery,
etc. where property
value not over \$500.

(d) Jurisdiction concurrent with the Superior Court in all actions of claim and delivery and attachment, wherein the value of the property sought to be claimed and delivered, or attached does not exceed five hundred dollars.

Procedure, practice,
etc.

SEC. 3. The procedure, practice, processes, pleadings and procuring evidence and judgments shall conform as nearly as may be to the courts having concurrent jurisdiction with this court.

Jury trial waived
unless demanded in
writing before trial.

SEC. 4. A jury trial shall be deemed to have been waived in all cases unless demand therefor is made in writing by one of the parties or their attorney before the trial begins, and in cases in which this court exercises concurrent jurisdiction with justices of the peace, jury trials shall be had as now provided by law for jury trials before justices of the peace. In all other cases in which jury trials shall be demanded the recorder shall order said causes to be transferred to the Superior Court for trial and it shall be the duty of the clerk of this court to promptly transmit all papers in said cause to the Clerk of the Superior Court.

Jury trial in cases
concurrent with J. P.,
as now provided
for J. P. trials.

Other cases trans-
ferred to Superior
Court for jury
trial.

Appeal to
Superior Court.

SEC. 5. Either party dissatisfied with the judgment in this court may appeal therefrom to the Superior Court by notice given in open court or by notice served on the other party in writing within ten days from the date of said judgment, and upon appeal the trial in the Superior Court shall be de novo.

Trial de novo.

Stay of execution.

SEC. 6. Orders to stay execution shall be the same as in appeals from the Superior Court to the Supreme Court. Judgments of the Recorder's Court may be enforced by execution is-

Enforcement of
judgments.

sued by the clerk thereof, returnable in twenty days. Transcripts of judgments may be docketed in the Superior Court as now provided for judgments of justices of the peace; and the judgments, when docketed, shall in all respects be a judgment of the Superior Court as if rendered by said court.

SEC. 7. The fees in all cases in which this court has concurrent jurisdiction with the Superior Court shall be the same as charged by the Clerk of the Superior Court, and in all other cases the fees shall be the same as are allowed in courts of justices of the peace.

SEC. 8. That in all civil matters in the Recorder's Court in addition to taxing the costs allowed by law, there shall be a fee of two dollars, additional to the usual cost taxed, which sum shall be set apart to be used to supplement the salary of the recorder.

SEC. 9. That the County Recorder's Court of Columbus County, North Carolina, heretofore established by the county commissioners of said county shall be known and designated as the Recorder's Court of Columbus County, North Carolina, that said court shall be a court of record with a seal with the impression: "Recorder's Court of Columbus County, North Carolina," which seal shall be used in the attestation of all writs, warrants, process, or other proceedings, act, processes, judgments, or decrees of said court, in the same manner and to the same effect as the seal of other courts of records of North Carolina.

SEC. 10. That the said recorder shall be a man of good moral character and of good standing in his community and who shall be a duly qualified elector in said County of Columbus, and shall be a lawyer of good standing with the North Carolina Bar, Incorporated.

SEC. 11. That said recorder shall have the power to punish for contempt as is given Judges of the Superior Courts of the state and the procedure in such matters shall be the same as is now provided for in the Superior Courts.

SEC. 12. That said recorder shall receive a salary not less than one hundred and twenty-five dollars per month and not to exceed two hundred dollars per month to be fixed by the Board of County Commissioners, to be paid monthly upon a warrant of Columbus County and the Solicitor of said Recorder's Court shall receive a salary of not less than sixty-five dollars and not to exceed eighty-five dollars per month to be fixed by the County Commissioners of Columbus County to be paid monthly upon warrant of Columbus County.

SEC. 13. The Clerk of the Superior Court shall be ex officio Clerk of the Recorder's Court with a salary of twenty-five dollars for his said services in addition to his salary for Clerk of the Superior Court.

SEC. 14. If any clause, part, sentence or paragraph of this Act for any reason be adjudged by any court of competent

Force and effect of judgments.

Fees.

Additional fee of \$2 to supplement Recorder's salary.

Court to be known as "Recorder's Court of Columbus County, N. C."

Court of record.

Seal described.

Use of seal.

Qualifications of Recorder.

Recorder granted power to punish for contempt.

Recorder's salary authorized, maximum and minimum.

Solicitor's salary.

C. S. C., ex officio clerk of Recorder's Court.

Salary.

Partial invalidity provision.

jurisdiction to be invalid, such judgment shall not effect, impair or invalidate the remainder of this Act.

Conflicting laws
repealed.

SEC. 15. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 16. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A. D. 1937.

H. B. 532

CHAPTER 252

AN ACT TO REGULATE THE HUNTING OF GAME IN DAVIE COUNTY.

The General Assembly of North Carolina do enact:

Hunting in Davie
County, while snow
on ground, un-
lawful.

SECTION 1. That it shall be unlawful for any person or persons to hunt in Davie County with gun, stick, dog, or otherwise hunt, while there is snow upon the ground.

Violation made a
misdemeanor.

SEC. 2. That any person violating the provisions of this Act shall be guilty of a misdemeanor and fined not more than fifty dollars (\$50.00) or imprisoned for not more than thirty days, in the discretion of the court.

Conflicting laws
repealed.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A. D. 1937.

H. B. 538

CHAPTER 253

AN ACT TO REGULATE FOX HUNTING IN STANLY COUNTY.

The General Assembly of North Carolina do enact:

Regulations for
fox hunting,
Stanly County.

SECTION. 1. That it shall be unlawful for any person or persons to hunt or chase fox with dog or dogs, between the first day of March and the first day of September of each and every years: *Provided*, this shall not apply to a fox turned loose and chased immediately.

SEC. 2. That it shall be unlawful to shoot, trap or kill a fox, except as set forth in paragraph one.

Violation made a
misdemeanor.

SEC. 3. That any person violating any of the provisions of this Act shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, or both in the discretion of the court.

SEC. 4. That chapter one hundred and seventy-six, Public-Local Laws of one thousand nine hundred and twenty-nine, be and the same is hereby repealed.

Ch. 176, Public-Local Laws, 1929, repealed.

SEC. 5. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 6. That this Act shall apply to Stanly County only.

Applies to Stanly County only.

SEC. 7. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A. D. 1937.

H. B. 540

CHAPTER 254

AN ACT TO AID THE COLLECTION OF TAXES IN LAKE LURE, RUTHERFORD COUNTY.

Whereas, in the year one thousand nine hundred and twenty-seven certain officials of the Town of Lake Lure, in Rutherford County, purported to execute certain bonds of the town, the validity of which bonds is disputed; and

Preamble: Validity of Town of Lake Lure bonds, disputed.

Whereas, certain taxpayers of the town who are in default in their tax payments hold certain of these bonds; and

Certain of said bonds held by delinquent taxpayers of Town.

Whereas, the acquisition by the town through tax sales of a large and substantial part of the real estate of said taxpayers would to a great extent destroy the assessed valuation of its property and perhaps make it impossible to operate the Town as a municipality, and make it impossible for it to meet its just obligations; *Now, Therefore*,

Municipality's operation in danger if large part of taxpayers' property acquired by Town through tax sales.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of the Town of Lake Lure, in Rutherford County, North Carolina, be, and they are empowered and directed to allow any uncollected back taxes owing to said town for the year one thousand nine hundred and thirty-four and previous years to be paid in whole or in part with bonds hereinabove referred to, whether matured or unmatured, but not including interest coupons, and the tax collector of said town shall accept said bonds at par in payment of said taxes, including costs, interest and penalties thereon: *Provided*, the mayor and commissioners of said town in their discretion may as a condition to the acceptance of said bonds in payment of back taxes require the surrender and cancellation of all interest coupons, both matured and unmatured: *Provided*, further, that said bonds shall not be accepted in payment of taxes due by any taxpayer unless there shall be paid in full at the same time all taxes due by said taxpayer for the years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six and all later years which may at the time be due.

Acceptance of bonds in payment certain delinquent taxes, authorized.

Interest coupons, not acceptable.

Surrender of interest coupons may be required.

Cash payment of certain taxes required.

Town not authorized to accept bonds for purpose other than as provided.

SEC. 2. That nothing herein contained shall be construed to require the said town to accept its bonds or notes for any other purpose than herein provided nor to pay any cash if its bonds or notes are presented in a greater amount than the taxes to be paid thereby.

Act not to be construed as validating bonds.

SEC. 3. That this Act is not, and shall not be deemed or construed to be, a ratification, confirmation or validation of the said bonds.

Validity of bonds not affected by provisions of Act.

SEC. 4. That no act on the part of the town or any of its officials or tax payers under the provisions of this law shall be, or shall be deemed or construed to be, a ratification, confirmation or validation of said bonds or estoppel against the town or any of its residents, citizens or taxpayers to contest the validity of said bonds.

Time for foreclosure suits for 1934 taxes extended.

SEC. 5. That the time within which foreclosure suits may be instituted by the said town for taxes for the year one thousand nine hundred and thirty-four is hereby extended to and including the first day of January, one thousand nine hundred and thirty-eight.

Conflicting laws repealed.

SEC. 6. That all laws, or clauses of laws, whether general or special, in conflict with this Act, be, and they are hereby repealed in so far as they apply to the town of Lake Lure.

SEC. 7. That this Act shall be in full force and effect immediately upon its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A. D. 1937.

H. B. 542

CHAPTER 255

AN ACT TO EMPOWER THE BOARD OF TOWN COMMISSIONERS OF THE TOWN OF MOUNT GILEAD TO PROVIDE RELIEF OF CERTAIN PROPERTY OWNERS BY EXTENDING THE TIME OF PAYMENT OF CERTAIN SPECIAL ASSESSMENTS AGAINST ABUTTING PROPERTY.

Preamble: Entire bonded debt, Town of Mount Gilead, refunded.

Whereas, with the approval of the Local Government Commission, the Town of Mount Gilead has refunded its entire bonded debt, including street and street improvement bonds, it now becomes necessary for its governing body to provide certain property owners relief by extending the time of payment of special street and sidewalk assessments against property on improved streets; *Now, therefore*,

Relief to certain property owners necessary.

The General Assembly of North Carolina do enact:

Time for payment, street and sidewalk assessments, Town of Mount Gilead, extended.

SECTION 1. That the Board of Town Commissioners of the Town of Mount Gilead, be and is hereby authorized to extend by proper ordinance the time of payment of all, or any part of, street and sidewalk assessments heretofore made against prop-

erty owners, such extension to be either for a definite period not to exceed ten years from July first, one thousand nine hundred thirty-six, or provision may be made for annual installment payments over a period not to exceed ten years from July first, one thousand nine hundred thirty-six.

Provision for annual installment payments.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after the date of its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A. D. 1937.

H. B. 545

CHAPTER 256

AN ACT RELATING TO THE FEES FOR THE REGISTRATION OF CERTAIN PAPERS IN THE OFFICE OF THE REGISTER OF DEEDS OF HALIFAX COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Halifax County be and they are hereby authorized and empowered, in their discretion, to increase the fees to be charged by the Register of Deeds of said county for the registration of a chattel mortgage from thirty cents to fifty cents and for registration of a lien bond from sixty cents to one dollar.

Increase of registration fees for chattel mortgages, lien bonds, Halifax County, provided for.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A. D. 1937.

H. B. 576

CHAPTER 257

AN ACT TO EXTEND THE TIME TO THE TOWN OF WILKESBORO, NORTH CAROLINA, FOR THE COMPLETION OF THE COLLECTION OF AND SALE OF PROPERTY FOR UNPAID TAXES LEVIED FOR THE YEARS ONE THOUSAND NINE HUNDRED AND THIRTY-FOUR AND ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE.

The General Assembly of North Carolina do enact:

SECTION 1. That whereas by reason of congested docket in the Superior Court of Wilkes County, wherein the taxes levied for said town for the years one thousand nine hundred and thirty-four and one thousand nine hundred and thirty-five are in question, and cannot be proceeded with until said action is decided by the court: *Now, Therefore;*

Litigation in connection with 1934, 1935 taxes, Town of Wilkesboro.

Time for collecting 1934, 1935 taxes and for tax sales, Town of Wilkesboro, extended.

SEC. 2. That the time for the completion of the collection of taxes levied for the years one thousand nine hundred and thirty-four and one thousand nine hundred and thirty-five, and the sale of property thereunder for the Town of Wilkesboro, North Carolina, be and the same is hereby extended to January first one thousand nine hundred and thirty-eight.

Conflicting laws repealed.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A.D. 1937.

H. B. 584

CHAPTER 258

AN ACT TO FIX THE SALARY OF THE SHERIFF OF TRANSYLVANIA COUNTY.

Preamble: Transylvania County Sheriff's salary not increased by Ch. 63, Public-Local Laws, 1935.

Whereas, under chapter sixty-three, Public-Local Laws, one thousand nine hundred and thirty-five, the salaries of the officers of Transylvania were fixed, all full-time officers receiving an increase in salary with the exception of the sheriff of said county; and

Present salary of Sheriff.

Whereas, the said sheriff now receives a salary of two thousand seven hundred and fifty dollars (\$2,750.00) per annum, out of which he must pay the salary of the deputy sheriff and his expenses including the almost constant use of an automobile, no fees of any kind being allowed said sheriff; *Now, Therefore*,

The General Assembly of North Carolina do enact:

Salary of Sheriff, Transylvania County increased.

SECTION 1. That from and after the first day of January, one thousand nine hundred and thirty-seven, the Sheriff of Transylvania County shall receive an annual salary of three thousand one hundred and twenty dollars (\$3,120.00) which shall be paid in twelve equal monthly installments.

Payable in monthly installments.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A.D. 1937.

H. B. 595

CHAPTER 259

AN ACT TO AMEND CHAPTER THIRTY-FOUR, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-THREE AND TO REPEAL CHAPTER FIFTY-TWO, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE, RELATING TO PER DIEM OF THE CHAIRMAN OF THE COUNTY BOARD OF COMMISSIONERS OF SWAIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter thirty-four of the Public-Local Laws of one thousand nine hundred thirty-three, be, and the same is hereby amended by striking out all of section four of said chapter, relating to the salary of the Chairman of the Board of County Commissioners of Swain County.

Ch. 34, Public-Local Laws, 1933, amended.

SEC. 2. That chapter five hundred fifty-two of the Public-Local Laws of one thousand nine hundred thirty-five, relating to per diem of the Chairman of the County Board of Commissioners of Swain County, be, and the same is hereby repealed.

Ch. 552, Public-Local Laws, 1935, repealed.

SEC. 3. That the Chairman of the Board of County Commissioners of Swain County shall be paid for his full-time services as such chairman, the sum of one hundred twenty-five (\$125.00) dollars per month and the said chairman shall be allowed actual expenses when engaged in official business for the said county, other than that transacted in the office of said chairman.

Salary of Chairman, Commissioners of Swain County, fixed.

Allowance for actual expenses.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A.D. 1937.

H. B. 596

CHAPTER 260

AN ACT TO AMEND CHAPTER NINETY-ONE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-FIVE, RELATING TO THE ADJUSTMENT AND PAYMENT OF DELINQUENT TAXES IN SWAIN COUNTY AND THE TOWN OF BRYSON CITY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter ninety-one of the Public-Local Laws of one thousand nine hundred thirty-five, be, and the same is hereby amended by striking out all of section seven.

Ch. 91, Public-Local Laws, 1935, amended, revoking right to pay delinquent taxes by notes, Swain County.

SEC. 2. That chapter ninety-one of the Public-Local Laws of one thousand nine hundred thirty-five, be, and the same is hereby amended by inserting in section eight, line nineteen, after the word "thereto" and before the word "and" in said sec-

Sec. 8 of Chapter amended, as to compromise settlements of delinquent taxes.

Conflicting laws repealed.

tion, the following: "*Provided*, said payments may be made at any time before the final termination of said foreclosure proceedings and before the deed is made to the purchaser of said land."

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A.D. 1937.

H. B. 606

CHAPTER 261

AN ACT AMENDING CHAPTER ONE HUNDRED AND THIRTY-NINE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE FIXING THE SALARY OF THE DEPUTY REGISTER OF DEEDS OF FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

Ch. 139, Public-Local Laws, 1935, amended, increasing salary of Deputy Register of Deeds, Franklin County.

Effective date.

Conflicting laws repealed.

SECTION 1. That chapter one hundred and thirty-nine of the Public-Local Laws of one thousand nine hundred and thirty-five be amended by striking out in lines thirteen and fourteen of said Act the words "nine hundred dollars" and inserting in lieu thereof the words and figures "twelve hundred (\$1,200.00) dollars."

SEC. 2. That this Act shall be effective as of February first, one thousand nine hundred and thirty-seven.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A.D. 1937.

H. B. 607

CHAPTER 262

AN ACT TO PROVIDE FOR THE APPOINTMENT OF A DEPUTY-SHERIFF IN FRANKLIN COUNTY AND TO FIX THE SALARY OF SUCH DEPUTY.

The General Assembly of North Carolina do enact:

Appointment of Deputy Sheriff, Franklin County, authorized.

Powers.

Salary.

SECTION 1. That the Sheriff of Franklin County may at any time after the ratification of this Act appoint a fit and suitable Deputy-Sheriff for Franklin County, who shall be clothed with full authority and powers as now by law is conferred upon deputy-sheriffs. The said deputy shall receive a salary of six hundred (\$600.00) dollars per annum, payable in monthly in-

stallments, together with all fees and commissions received by said deputy for the service of civil and criminal process, said salary to be paid from the general fund of the county.

SEC. 2. That the sheriff may require the deputy so appointed to give bond in such sum as the County Commissioners of Franklin County may fix for the faithful performance of his duties as deputy-sheriff, which bond shall be duly given and approved before said deputy shall begin his duties as deputy-sheriff.

Bond may be required.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A.D. 1937.

H. B. 611

CHAPTER 263

AN ACT VALIDATING A CERTAIN BOND ANTICIPATION NOTE OF THE CITY OF SHELBY.

Whereas, under date of July first, one thousand nine hundred thirty-one, the Board of Aldermen of the City of Shelby, North Carolina, issued a twenty thousand dollar (\$20,000) note for the purpose of paying for paving with gravel and tar various streets of the City of Shelby and making repairs on others, and for the purpose of paying the purchase price of an addition to the cemetery of said city; and

Preamble: \$20,000 note issued by City of Shelby for purposes set forth.

Whereas, the proceeds of said note, being not less than par and accrued interest, were used for the purposes authorized and above set forth; and

Proceeds of note used for purposes stated.

Whereas, new notes have been issued from time to time in renewal and extension of such note, the note now outstanding being dated January second, one thousand nine hundred thirty-seven, and maturing July first, one thousand nine hundred thirty-seven; *Now, Therefore*,

Note renewed and extended.

The General Assembly of North Carolina do enact:

SECTION 1. The note issued by the Board of Aldermen of the City of Shelby, North Carolina, under date of January second, one thousand nine hundred thirty-seven, and mentioned in the third preamble of this Act, be and the same is hereby validated and confirmed, and declared to evidence valid existing debt of said city, and the Board of Aldermen of said city is hereby authorized and empowered to issue, in accordance with the Municipal Finance Act, as amended, and the Local Government Act, as amended, negotiable bonds of the city for the purpose of funding the debt now evidenced by said note dated January second, one thousand nine hundred thirty-seven, and any renewals and extensions thereof.

Outstanding note, renewal of original, issued by City of Shelby, validated.

Aldermen of Shelby authorized to issue bonds to fund said note.

Powers granted additional.

Conflicting laws repealed.

SEC. 2. The powers granted by this Act are granted in addition to and not in substitution for existing powers of said city.

SEC. 3. That all laws and clauses of laws inconsistent with this Act be, and the same are hereby repealed.

SEC. 4. This Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A.D. 1937.

H. B. 637

CHAPTER 264

AN ACT TO PROVIDE FOR THE COLLECTION OF REAL, PERSONAL, AND POLL TAX FOR THE TOWN OF CAROLINA BEACH, AND TO APPOINT A TREASURER OF SAID TOWN.

The General Assembly of North Carolina do enact:

Consolidated City-County Tax Collector directed to collect all taxes due Town of Carolina Beach.

SECTION 1. That from and after the first day of October, one thousand nine hundred and thirty-seven, the Consolidated City-County Tax Collector as created in chapter one hundred and ninety-one, Public-Local Laws of one thousand nine hundred and thirty-three, shall, by virtue of being the Consolidated City-County Tax Collector as created under said Act ex officio, collect all real, personal, and poll tax due to the Town of Carolina Beach for the current year, and for the year next preceding the current tax year. The said Consolidated City-County Tax Collector shall receive for his services the sum of two and one-half per cent of all taxes so collected, to be paid by the Town of Carolina Beach by warrant or voucher duly authorized by the governing body of said town upon bill duly presented.

Compensation.

Daily deposits of collections.

SEC. 2. That said Consolidated City-County Tax Collector shall, on each business day, make daily deposits in the duly designated depository for the said Town of Carolina Beach by placing to the credit of said town all collections so made and received, and shall furnish to the mayor of said town and town treasurer, a statement showing the amount of each deposit, and shall upon request furnish statements showing allocations by years of taxes and penalties collected.

Statements to be furnished Town officials.

Town to pay expenses in preparation tax books, etc.

SEC. 3. That the Town of Carolina Beach shall pay all actual expenses incident to the preparation of its tax books, tax receipts, blanks, and records, and supplies necessary therefor.

Bond required.

SEC. 4. That on or before said Consolidated City-County Tax Collector shall receive the tax books of said town, he shall execute and deliver to the mayor of said town a good and sufficient bond, in an amount not less than one thousand dollars (\$1,000.00), and not more than ten thousand dollars (\$10,000.00), acceptable to the governing body of said town, conditioned that he will faithfully discharge and perform his duties and account for all moneys and records which may come into his hands by virtue of his position.

Condition of bond.

SEC. 5. That the tax books covering the taxes for the second preceding year shall be delivered to the town before the tax book for the then current year is turned over to the Consolidated Tax Collector, which said book at such time shall reflect the true condition of all unpaid taxes, real, personal, or poll.

Delivery of
tax books.

SEC. 6. That the governing body of the Town of Carolina Beach shall cause the County Auditor of New Hanover County, or such other person as it may designate, to make up a tax book showing the taxes due on all property, including poll tax, in the Town of Carolina Beach.

Governing body,
Town of Carolina
Beach, directed to
have tax books
prepared.

SEC. 7. That from and after the ratification of this Act, the Town Clerk of the Town of Carolina Beach, shall be ex officio Treasurer of the Town of Carolina Beach, and shall properly account for all funds received by him for the account of said town. He shall render to the governing body of said town a monthly statement showing all moneys or funds received and disbursed by him as treasurer, together with the moneys or funds on hand. He shall pay all warrants drawn on him and signed by any two of the official body governing said town. Before entering upon the duties of town treasurer, and at least annually thereafter, said town clerk shall deliver a good and sufficient bond, acceptable to the governing body of said town, in such amount as the governing body of said town may, by resolution, require, conditioned that said town clerk, as treasurer of said town, shall faithfully discharge his duties as treasurer, and account for all moneys or funds received by him as treasurer, the property of said town.

Town Clerk of
Town of Carolina
Beach made ex
officio Town
Treasurer.

Monthly statement
of receipts and dis-
bursements.

Treasurer to pay
properly executed
warrants.

Bond required.

Condition of
Treasurer's bond.

SEC. 8. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws
repealed.

SEC. 9. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A.D. 1937.

H. B. 639

CHAPTER 265

AN ACT FIXING THE SALARY OF THE SHERIFF OF HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and ninety-two of the Public-Local Laws of one thousand nine hundred and thirty-five be and the same is hereby repealed.

Ch. 192, Public-
Local Laws, 1935,
repealed.

SEC. 2. That, in addition to the fees now allowed by law the Sheriff of Haywood County shall receive a salary of two thousand four hundred dollars (\$2,400.00) per annum, payable in equal monthly installments beginning with the first Monday in December, one thousand nine hundred and thirty-six, the said two thousand four hundred dollars (\$2,400.00) to be in lieu of

Salary authorized
for Sheriff, Hay-
wood County, in
addition to fees.

In lieu of salary
or fees heretofore
allowed.

any salary or fees heretofore allowed said sheriff for the collection of taxes, and is to be used for the necessary expenses in connection with the operation of the sheriff's office.

Conflicting laws repealed.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A.D. 1937.

H. B. 642

CHAPTER 266

AN ACT TO AMEND CHAPTER TWO HUNDRED FORTY-ONE, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-THREE AND CHAPTER FIVE HUNDRED NINE, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-FIVE IN SO FAR AS THEY RELATE TO THE WATERS OF BEAUFORT COUNTY AND TO REGULATE THE USE OF LONG HAUL OR DRAG NETS IN THE WATERS OF BEAUFORT COUNTY.

The General Assembly of North Carolina do enact:

Use of drag nets, etc., longer than 400 yds. in Pamlico or Pungo River, or tributaries, unlawful above certain line.

Location of line described.

Exemptions.

Possession in territory prima facie evidence of violation.

Authority of county officers.

SECTION 1. That it shall be unlawful for any person or persons to use or operate by hand power or motor power or by any combination of hand and motor power any haul or drag net measuring as much as or more than four hundred yards in length, or any combination of haul or drag nets which in the aggregate measure as much as or more than four hundred yards in length at any place in the waters of Pamlico River or Pungo River and/or in the tributaries of any of said waters above a line located as follows: Beginning at the eastern limit of Reed's Hammock Point (said Reed's Hammock Point is at the west side of the mouth of Lower Goose Creek, a tributary of Pamlico River) and running from this point northwardly in a direct line to Wade's Point light; thence eastwardly in a direct line to the southern extremity of Currituck Point; all waters lying north, south and west of said line are hereby intended to be included in the territory in which the use of such nets is regulated by this Act. The word "haul" or "drag net" as used in this Act shall not be construed to include seines fished from the shore for shad or herring at points on Pamlico River at or above Maul's Point.

SEC. 2. That the possession by any person within the above described territory of a long haul or drag net more than four hundred yards in length on a boat equipped for fishing shall be prima facie evidence of the violation of this Act and the Sheriff of Beaufort County and his deputies are authorized to examine and measure any long haul or drag net found upon a boat within

the above described waters, or any net found in the waters themselves to determine its length.

SEC. 3. That it shall be unlawful to fish any haul or drag nets within the above described waters between sunset and sunrise.

Fishing between sunset and sunrise.

SEC. 4. That the Recorder's Court of Washington, Long Acre and Chocowinity Townships shall have exclusive original jurisdiction of violations of this law.

Certain courts given exclusive original jurisdiction of violations.

SEC. 5. That any person violating the provisions of this Act shall be guilty of misdemeanor and upon conviction shall be fined not more than one hundred (\$100.00) dollars and imprisoned not more than sixty days or both, and in addition thereto, the court may decree a confiscation of all boats, nets and other fishing equipment used in the violations of this Act and that said boats, nets and other equipment be sold under the order of the court and the proceeds from said sale shall be paid into the county school fund.

Violation made a misdemeanor.

Punishment.

Court may decree confiscation of boats, nets, etc.

SEC. 6. That all laws and clauses of laws in conflict herewith are hereby repealed.

Conflicting laws repealed.

SEC. 7. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A.D. 1937.

H. B. 651

CHAPTER 267

AN ACT TO AMEND CHAPTER TWO HUNDRED FOURTEEN OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-THREE AS AMENDED BY CHAPTER ONE HUNDRED THIRTY-SEVEN PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-FIVE FIXING THE SALARY OF THE CLERK OF THE SUPERIOR COURT AND THE DEPUTY-CLERK OF THE SUPERIOR COURT OF FRANKLIN COUNTY AND REDUCING THE AMOUNT ALLOWED FOR ADDITIONAL CLERICAL HELP IN SAID OFFICE.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred thirty-seven of the Public-Local Laws of one thousand nine hundred thirty-five, be, and the same is hereby amended by striking out the words and figures two thousand (\$2,000.00) dollars in lines eight and nine, and inserting in lieu thereof the words and figures two thousand four hundred (\$2,400.00) dollars.

Ch. 137, Public-Local Laws, 1935, amended, increasing salary of C. S. C., Franklin County.

SEC. 2. That chapter one hundred and thirty-seven Public-Local Laws of one thousand nine hundred thirty-five be further amended by striking out in lines fifteen and sixteen the words and figures one thousand two hundred (\$1,200.00) dollars and

Amended further, increasing salary of Deputy C. S. C.

Amended further:
provision for em-
ployment of addi-
tional clerical help
repealed.

Effective date.

Conflicting laws
repealed.

inserting in lieu thereof the words and figures one thousand four hundred (\$1,400.00) dollars.

SEC. 3. That said chapter be further amended by striking out after the semi-colon in line seventeen the remainder of said section, being the remainder of line seventeen through line twenty-three inclusive.

SEC. 4. That this Act shall be effective as of February first, one thousand nine hundred thirty-seven.

SEC. 5. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 6. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A.D. 1937.

H. B. 664

CHAPTER 268

AN ACT TO FIX THE SALARY OF THE SHERIFF OF BUNCOMBE COUNTY AND PROHIBIT THE COLLECTION OF FEES BY SPECIAL DEPUTY SHERIFFS IN BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

Salary of Sheriff
Buncombe County.

SECTION 1. That the Sheriff of Buncombe County shall receive an annual salary of forty-two hundred dollars (\$4200.00) a year, payable monthly in equal monthly payments from said county.

Appointment of
Chief Deputy
Sheriff authorized.

SEC. 2. That the Sheriff of Buncombe County may designate one of his regular deputies now allowed by law as chief deputy and such chief deputy shall receive an annual salary of nineteen hundred and twenty dollars (\$1920.00) a year, payable in equal monthly payments from said county.

Salary.

Receipt of fees by
Special Deputy
Sheriff, Buncombe
County, for per-
forming duties, un-
lawful.

SEC. 3. It shall be unlawful for any Special Deputy Sheriff in Buncombe County to receive any fee or remuneration whatsoever for serving any paper, civil or criminal, or for any act or duty performed by him as a Special Deputy Sheriff; except Special Deputy Sheriffs may receive fees for the service of papers in connection with the foreclosure of property for taxes due the several bodies politic and municipal corporations of Buncombe County.

Exception.

Violation made a
misdemeanor.

SEC. 4. Any person violating the provisions of section two of this Act shall be guilty of a misdemeanor and upon conviction shall be fined or imprisoned in the discretion of the court.

Conflicting laws
repealed.

SEC. 5. All laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 6. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A.D. 1937.

H. B. 665

CHAPTER 269

AN ACT TO PROHIBIT THE IMPORTATION OF DISEASED
HOGS INTO BUNCOMBE COUNTY.*The General Assembly of North Carolina do enact:*

SECTION 1. That all swine brought into the County of Buncombe for feeding, breeding, sale or any other purpose, from any source or transported in any manner in the County of Buncombe shall be accompanied by health certificate of a licensed, qualified veterinarian, stating that said animals are free from any and all symptoms of contagious or infectious diseases and that they have not been exposed to the same within thirty days, and that each animal has been treated with a proper dose of anti-hog cholera serum not more than twenty-one days prior to shipment when serum and virus is used; *provided* if such animals are brought into the County of Buncombe in the manner herein provided and are billed for immediate slaughter and said animals are immediately slaughtered, the health certificate herein provided for will not be required.

Health certificate required to accompany all swine imported into Buncombe County.

Contents of certificate.

Exception.

SEC. 2. Swine brought into the County of Buncombe from any source or in any manner in violation of the requirements contained herein shall be quarantined for a period of twenty-one days and vaccinated or given the necessary treatment at the owner's expense.

Quarantine and vaccination.

SEC. 3. That it shall be the duty of the City-County Veterinarian of the City of Asheville and the County of Buncombe to enforce the provisions of this Act.

Enforcement.

SEC. 4. That the governing bodies of the City of Asheville and the County of Buncombe may, by joint resolution, make such rules and regulations as is necessary to make this Act more effective.

Regulations to make Act more effective, authorized.

SEC. 5. That any person, firm or corporation violating any of the provisions hereof, shall be guilty of a misdemeanor and fined or imprisoned or both, in the discretion of the court.

Violation made a misdemeanor.

SEC. 6. All laws and clauses of laws in conflict, herewith, are hereby repealed.

Conflicting laws repealed.

SEC. 7. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A.D. 1937.

H. B. 671

CHAPTER 270

AN ACT TO EMPOWER THE COUNTY COMMISSIONERS
OF PERQUIMANS COUNTY TO FIX THE SALARY OF
THE TREASURER OF SAID COUNTY.*The General Assembly of North Carolina do enact:*

SECTION 1. That the Board of County Commissioners of Perquimans County be and they are hereby authorized, in their

Commissioners, Perquimans County, authorized to fix County Treasurer's salary.

Limitation.

Effective date.

Bond.

Treasurer to pay premium.

Conflicting laws repealed.

discretion, to fix the compensation of the treasurer of said county, which said compensation shall not exceed the sum of six hundred dollars (\$600.00) annually and the compensation so fixed shall become effective on the first day of July, one thousand nine hundred and thirty-seven: *Provided*, that the bond of the said Treasurer of Perquimans County shall be determined by the County Commissioners and the premium on same shall be paid by the said treasurer.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A.D. 1937.

H. B. 680

CHAPTER 271

AN ACT TO PROVIDE COMPENSATION TO THE MEMBERS OF THE BOARD OF ALDERMEN OF THE TOWN OF NEWTON FOR THEIR SERVICES.

The General Assembly of North Carolina do enact:

Compensation of Aldermen, Town of Newton.

SECTION 1. That the members of the Board of Aldermen of the Town of Newton shall receive as compensation for their services the sum of five (\$5.00) dollars each per meeting for not more than two meetings in any one calendar month.

Conflicting laws repealed.

SEC. 2 That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 3. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A.D. 1937.

H. B. 610

CHAPTER 272

AN ACT TO REGULATE THE PRACTICE OF JUSTICES OF THE PEACE IN WATAUGA COUNTY.

The General Assembly of North Carolina do enact:

Unlawful for a Justice of Peace, in Watauga County, to act except in township of appointment or qualification.

SECTION 1. That it shall be unlawful for a Justice of the Peace in Watauga County to try cases, issue warrants, take probates, or exercise any of the authority and power given justices of the peace by virtue of Article IV, section twenty-seven, of the North Carolina Constitution, or under other valid laws of this state, when he is in any township or place other than the township in which he was appointed or qualified.

Violation made a misdemeanor.

SEC. 2. That any justice of the peace violating the provisions of this Act shall be guilty of a misdemeanor and punishable by a fine or imprisonment, or both, in the discretion of the court.

SEC. 3. That this Act shall apply only to Watauga County.

SEC. 4. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A.D. 1937.

Applies only to
Watauga County.
Conflicting laws
repealed.

H. B. 615

CHAPTER 273

AN ACT TO REPEAL THE STATUTES CREATING THE BOARD OF FINANCIAL CONTROL FOR BUNCOMBE COUNTY AND TO CREATE A BOARD OF TAX SUPERVISION FOR BUNCOMBE COUNTY; TO CREATE CERTAIN OFFICES AND DEFINE THE POWERS AND DUTIES THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred fifty-three of the Public-Local Laws of the session of one thousand nine hundred and thirty-one creating the Board of Financial Control for Buncombe County, and any and all Acts amending the same, including chapter three hundred ninety-four of the Public-Local Laws of the session of one thousand nine hundred and thirty-one, chapter one hundred eighty-nine of the Public-Local Laws of the session of one thousand nine hundred and thirty-three and chapter two hundred twenty-seven of the Public-Local Laws of the session of one thousand nine hundred and thirty-five, be and the same are hereby repealed.

SEC. 2. All property of any kind or nature including any asset or chose in action held by the Board of Financial Control for Buncombe County in connection with, pertaining to or derived from collateral securing deposits of Buncombe County and the City of Asheville in defunct banks, together with all of the records of said Board of Financial Control relating to such collateral securities is hereby transferred to said Buncombe County and City of Asheville as their interests may appear.

SEC. 3. All property, real or personal, judgments, tax sale certificates, equities or choses in action held by said Board of Financial Control in connection with, pertaining to or derived from taxes or assessments due the City of Asheville, Buncombe County or political subdivision thereof or any body politic or municipal corporation in Buncombe County, are hereby transferred to the Board of Tax Supervision for Buncombe County, hereinafter created, to be held by such board for the use and benefit of the several bodies politic and municipal corporations as their interests may appear.

SEC. 4. All records of said Board of Financial Control not specifically mentioned herein together with all office supplies

Ch. 253, Public-Local Laws, 1931, all amending Acts, Ch. 394, P.-L. L., 1931, Ch. 189, P.-L. L., 1933, Ch. 227, P.-L. L., 1935, repealed.

Board of Financial Control, Buncombe County, abolished.

Property pertaining to collateral securing deposits in defunct banks, transferred to Buncombe County and the City of Asheville.

All property held by said Board relating to taxes, transferred to Board of Tax Supervision.

Held for benefit of said bodies politic as interests appear.

Transfer of records.

	and equipment are hereby transferred to the Board of Tax Supervision for Buncombe County hereinafter created.
Board of Tax Supervision, Buncombe County, created.	SEC. 5. There is hereby created a board to be known as the Board of Tax Supervision for Buncombe County and said board shall possess all the powers conferred by this Act and such other powers as may be useful or necessary to permit it to fully carry out the purposes of this Act. For the purpose of exercising the powers of the governmental administrative functions only as set out in sections twelve to twenty inclusive, for the use and benefit of Buncombe County and the City of Asheville, said board is hereby declared to be a corporation with perpetual succession, the right to use a corporate seal, to sue and be sued and to purchase or otherwise acquire, manage, control, lease, sell and otherwise dispose of properties real and personal.
Powers.	
Declared corporation with perpetual succession for certain purposes.	
Corporate rights and powers.	
Board to consist of 3 members.	SEC. 6. Said Board of Tax Supervision for Buncombe County shall consist of three members, all of whom shall be qualified electors of Buncombe County. One member shall be known as Chairman and Tax Supervisor. The said chairman and tax supervisor and the members of the said board shall be appointed by the Chairman of the Board of Commissioners of Buncombe County and the City Manager of the City of Asheville and in case they shall disagree as to the appointment of any or all members of said board, the Governor shall appoint any member of said board on which the City Manager of the City of Asheville and the Chairman of the Board of Commissioners of Buncombe County cannot agree. The chairman and tax supervisor and the members of said board shall hold office at the pleasure of the City Manager and the Chairman of the Board of County Commissioners. In case of a vacancy on said Board for any reason whatsoever, the vacancy shall be filled as in the case of original appointments. The Chairman and tax supervisor shall devote his full time to the duties of his office and his salary shall be set by the Chairman of the Board of Commissioners of Buncombe County and the City Manager of the City of Asheville, but shall not exceed the sum of thirty-six hundred (\$3,600.00) dollars per annum. The members of said board shall receive three hundred (\$300.00) dollars per annum payable monthly.
Chairman and Tax Supervisor.	
Appointment of members.	
Tenure of office.	
Vacancy appointments.	
Full time Chairman and Tax Supervisor.	
Salaries.	
First meeting of Board, March 1, 1937.	SEC. 7. The Board of Tax Supervision for Buncombe County shall hold its first meeting at noon on the first day of March, one thousand nine hundred and thirty-seven and thereafter said board shall meet in regular session on the first Monday of each month, and at such other time, or times, as a special meeting may be called by the chairman and tax supervisor or two of the members of said board. Two members shall constitute a quorum of said board. The secretary to the chairman and tax supervisor hereinafter provided, shall be ex-officio clerk of said board and shall keep all records, minutes and proceedings of said board.
Regular meetings.	
Special meetings.	
Quorum.	
Clerk to Board.	

SEC. 8. The chairman and tax supervisor shall have full power and authority to appoint a secretary, who shall be known as secretary to the chairman and tax supervisor and who shall hold office at the pleasure of said chairman and tax supervisor, and said secretary shall be ex-officio clerk of the Board of Tax Supervision. The chairman and tax supervisor shall have full power and authority to appoint all employees of the Department of Tax Assessment and Records, hereinafter mentioned, and the tax collector for the Board of Tax Supervision shall have full power and authority to appoint the employees of the Department of Tax Collections, hereinafter mentioned, but the Chairman of the Board of County Commissioners and the City Manager of the City of Asheville shall have full power and authority to designate the salaries and limit the number of employees in each of the above named departments.

SEC. 9. The activities of the Board of Tax Supervision, exercising the powers conferred by this Act, shall be carried on in the following departments:

Department of Tax Assessment and Records

Department of Tax Collections

Department of Tax Assessment and Records

The Board of Tax Supervision, its chairman and tax supervisor shall in the manner hereinafter set out have exclusive power and authority in the County of Buncombe and in behalf and for the use and benefit of Buncombe County and the City of Asheville, to carry out, supervise and control the assessment and listing of properties, real and personal, for taxation including all the duties and all the rights and powers in connection therewith imposed and conferred by the Machinery Act of one thousand nine hundred thirty-five and/or which may be hereinafter imposed or conferred by a law or laws amending, supplementing or superseding said Machinery Act of one thousand nine hundred thirty-five and/or relating to the same subject matter including more particularly by way of illustration but not of limitation the following powers:

(a) The power to make, supervise and control the quadrennial tax assessment for taxation.

(b) The power to direct, carry out and control the annual listing and assessing of property in years other than the quadrennial assessment year.

(c) The power to perform all the duties of the Board of Equalization and Review.

(d) The power to make out tax lists.

SEC. 10. The powers conferred by the next preceding section shall be exercised through the Department of Tax Assessment and Records of which the chairman and tax supervisor shall be chief executive officer. All duties to be performed in connection with the powers conferred by the next preceding section shall be performed by the chairman and tax supervisor except as

Appointment of Secretary to Chairman and Tax Supervisor, authorized.

Tenure of office. To serve as ex-officio Clerk to Board.

Appointment of employees.

Salaries and number of employees.

Board to have two departments.

Department of Assessment and Records.

Board granted power to assess and list properties for taxation, Buncombe County and Asheville.

Rights, powers, conferred by Machinery Act.

Particular powers

Make quadrennial tax assessment.

Direct listing and assessing in other years.

Act as Board of Equalization.

Make tax lists.

Board Chairman and Tax Supervisor, chief executive officer of Department.

Powers and duties.

"County Supervisor of Taxation."

Statutory duties, Board of Equalization, performed by Board of Tax Supervision.

Employment of tax assessors.

Number limited.

Subject to Sec. 8.

Department of Tax Collections.

Laws as to election and salary of Buncombe County tax collector, repealed.

Tax Collector for new Board named.
Term of office.
Salary.

Successor and vacancy appointments.

Tenure of office.

Title.

Chief executive officer, Dept. of Tax Collections.
Salary.

Limitation.

Board granted power to collect taxes, Buncombe County and Asheville.

herein provided. The said chairman and tax supervisor shall be the County Supervisor of Taxation within the meaning of the Machinery Act and perform the duties and exercise the powers of that office. The statutory duties of the Board of Equalization and Review shall be performed by the Board of Tax Supervision for Buncombe County.

SEC. 11. For the purpose of assisting the said Board of Tax Supervision in carrying out the statutory powers and duties of the Board of Equalization and Review, and for the further purpose of facilitating the annual listing and assessing of properties in the quadrennial assessment years as well as other year, to the end that property may be uniformly and equitably assessed for the purpose of taxation, the said chairman and tax supervisor is hereby authorized to employ, in addition to such employees as may be necessary to carry out the functions of the Department of Tax Assessment and Records, not more than three men, who shall work under his direction and shall be known as tax assessors. The said tax assessors shall be subject to provisions of section eight hereof and shall be paid on a per diem basis.

Department of Tax Collections

SEC. 12. All laws and clauses of laws relating to the election of a tax collector in Buncombe County and affecting the salary of such office are hereby repealed. Robert C. Collins, the present tax collector for Buncombe County and the Board of Financial Control, shall be the tax collector for the Board of Tax Supervision for Buncombe County for a period of two years from the date this Act becomes effective, and shall be paid a salary of three hundred (\$300.00) dollars per month. At the expiration of the term of office of the tax collector herein named and provided, or in the event of his death, resignation or disqualification, the tax collector of said Board of Tax Supervision shall be appointed by the Chairman of the Board of Commissioners of Buncombe County and the City Manager of the City of Asheville, and shall hold office at the pleasure of said Chairman of the Board of Commissioners of Buncombe County and the City Manager of the City of Asheville. The tax collector herein provided shall be known as the tax collector of the Board of Tax Supervision for Buncombe County and shall be the chief executive officer of the Department of Tax Collections. The salary of said tax collector shall be designated by the Chairman of the Board of Commissioners of Buncombe County and the City Manager of the City of Asheville, but such salary shall not exceed the sum of thirty-six hundred (\$3,600.00) dollars per annum.

SEC. 13. The Board of Tax Supervision and its tax collector shall have exclusive power and authority as hereinafter provided and in behalf of and for the use and benefit of Buncombe County and the City of Asheville to make, supervise and control the collection of taxes. It shall perform all the duties and have

and possess and may exercise all the rights and powers in connection therewith, imposed and granted by sub-chapter three of chapter one hundred thirty-one of the Consolidated Statutes, and any Acts amending, supplementing and/or superseding the same and/or relating to the same subject matter now or hereafter adopted, including more particularly by way of illustration but not of limitation, the following powers:

(a) The power to collect any and all taxes levied in the manner provided and authorized by this Act.

(b) The power to prescribe or grant all discounts and impose and collect all penalties in connection with the payment or non-payment of taxes allowed by law.

(c) The power to institute and conduct attachment and garnishment proceedings for the collection of taxes as provided by law.

(d) The power to sell real estate for non-payment of taxes and issue certificates of sale for real estate so sold, to the purchaser thereof.

(e) The power to purchase, in the name of the Board of Tax Supervision, any and all pieces and parcels of real estate or other property, sold for the non-payment of taxes, in default of other bidders in an amount sufficient to pay the unpaid taxes thereon and the costs of sale thereof. Each piece or parcel of property so purchased shall be held by the Board of Tax Supervision for the use and benefit of the several bodies politic and municipal corporations entitled to receive a portion of the taxes levied on such parcel, in proportion to their respective interest in the total amount of such tax item.

(f) The power to institute and conduct in the name of the Board of Tax Supervision suits for foreclosure of tax liens and tax certificates.

(g) The power to purchase property at any sale thereof made in any proceeding to foreclose a tax lien or a tax certificate, and to take title thereto in the name of the Board of Tax Supervision. Any property so purchased shall be held by the Board of Tax Supervision for the use and benefit of the several bodies politic and municipal corporations entitled to receive a portion of the taxes levied on such parcel, in proportion to their respective interests in the total amount of such tax item.

(h) The power to sell and convey any and all property, including tax sale certificates purchased as hereinbefore authorized or received and held under the provisions of section nineteen hereof, to such person and for such price, and on such terms, as to the Board of Tax Supervision shall deem for the best interests of the bodies politic and municipal corporations for the use and benefit of whom such property is held, *provided* that no tax sale certificate shall be sold for an amount less than the amount of unpaid taxes and costs indicated thereon. No real property or personal property other than tax sale certificates shall be sold for an amount less than the total unpaid

Duties, rights
and powers.

Particular powers
stated:

Collect taxes.

Grant discounts;
collect penalties.

Conduct attachment
and garnishment
proceedings.

Sell property for
nonpayment of taxes.

Purchase property
sold at tax sales.

Hold property pur-
chased for benefit
of bodies politic.

Conduct tax
foreclosure suits.

Purchase property
at lien foreclosure
sales.

Hold property for
benefit bodies
politic.

Sell and convey
property purchased.

Price and terms.

Restrictions.

Owners' right to
redeem before sale
and conveyance.

Conveyance without
warranty.

Powers to be ex-
ercised by tax
collector.

Other powers by
Board of Tax
Supervision or
agent.

Board of Tax
Supervision au-
thorized to fix dis-
counts, penalties.

No discount or
penalty in violation
of general law.

Provision for in-
stallment payments
authorized.

Board authorized
to rule discounts,
penalties inapplicable
as to installment
payments.

Daily bank deposits
of collections.

Daily payments to
treasurer, etc. of
bodies politic, in-
stead of deposits.

taxes thereon and costs and expenses incurred in connection therewith and interest on such items to date of sale, without the authority of the governing bodies of the several bodies politic and municipal corporations having an equitable interest therein. The owner of any real or personal property owned and held by the Board of Tax Supervision as aforesaid, or the successor or successors in title of such owner shall have the right at any time before the sale and conveyance of such property by the Board of Tax Supervision as aforesaid to purchase said property for a consideration equal to the unpaid taxes on such property plus interest, costs, penalties and charges thereon allowed by law and interest on such items to date of purchase and on payment of such consideration shall receive from the Board of Tax Supervision a conveyance of such property without warranty.

SEC. 14. Of the powers conferred by the next foregoing section, the power to collect taxes and penalties, to institute and conduct attachment and garnishment proceedings and to sell property for non-payment of taxes shall be exclusively exercised by the tax collector of the Board of Tax Supervision under the supervision of said Board of Tax Supervision. All other of said powers shall be exercised by the Board of Tax Supervision, or by its authorized agent or representative.

SEC. 15. The Board of Tax Supervision shall have the right to fix and allow discounts for prompt payment of any and all taxes collectible by the tax collector and fix, impose and collect penalties for failure to pay any and all such taxes within the time required by law to such an extent as they shall deem for the best interests of the bodies politic and municipal corporations made subject to the provisions of this Act, *provided* that no discount shall be fixed or allowed and no penalty shall be fixed, imposed or collected in violation of the provisions of general law.

Said Board of Tax Supervision may also, in its discretion, establish rules for the payment of taxes in installments and may in its discretion provide that discounts given for payment of taxes and/or penalties imposed for non-payment of taxes, whether such discounts and penalties are mandatory under existing statutes or not, shall not apply to payments of taxes in regular installments at fixed and stated intervals, if such payments are made in accordance with the rules established for payment thereof.

SEC. 16. The tax collector of the Board of Tax Supervision shall before eleven o'clock, a. m., on each business day, deposit in a banking depository designated by a body politic, or a municipal corporation, subject to the provisions of this Act, to the credit of such body politic or municipal corporation, or pay to the treasurer or other officer of such body politic, or municipal corporation, designated by the governing body thereof, any and all money and taxes collected by him during the next preceding

business day belonging to such body politic or municipal corporation as indicated by the tax list, but all money and taxes collected by said tax collector which are pledged to the revolving funds or levied for the sinking funds (as intended and contemplated by all the proceedings, contracts, orders, ordinances and laws affecting the refunding of the obligations of the bodies politic and municipal corporations of Buncombe County) shall be deposited with the Sinking Fund Commission of Buncombe County or credited to it as herein provided for other bodies politic or municipal corporations. Said tax collector shall at the same time deliver to each officer, other than a banking depository, to whom such payment is made, a statement showing in detail all collections, made by him during the preceding business day, or moneys belonging to the body politic, or municipal corporation, represented by such treasurer or officer, and shall also deliver a copy of said statement to the chief executive officer of such body politic or municipal corporation, or to some other person by the governing body thereof designated to receive the same. Copies of all of such statements shall also be delivered by the tax collector to the chairman of the Board of Tax Supervision. In the event any business day is banking holiday, said tax collector shall on the next succeeding business day deposit in any bank designated as a depository as aforesaid, any and all moneys that should, under the provisions of this Act, have been deposited in said depository on said holiday, had said bank been open for business.

In case of emergency the Chairman of the Board of Tax Supervision, on the application of the tax collector, may grant to said tax collector an additional business day in which to make payment or deposit as aforesaid, but notice of the grant of such emergency privilege shall be given to the chief executive of each body politic and municipal corporation, subject to the provisions of this Act. That all publications, notices and advertisements required in carrying out the purposes of this Act shall be in accordance with the terms of section seventeen (a) of the city charter of the City of Asheville.

SEC. 17. The tax collector of the Board of Tax Supervision under the supervision of the chairman of said board shall, on or before the first day of July of each year, settle with each body politic and municipal corporation, for which said tax collector collects taxes under the provisions of this Act. Such settlement shall be made in the manner now provided by law for the settlement of sheriffs and tax collectors. Upon such settlement, all items of unpaid taxes, all unpaid tax sale certificates and all property owned and held by the Board of Tax Supervision by virtue of purchases at sales of property in proceedings to foreclose tax liens shall remain in the hands of the Board of Tax Supervision and be chargeable to it on the books of each body politic and municipal corporation for which it collects taxes under the provisions of this Act.

Collections pledged to revolving funds, etc. deposited with Buncombe Sinking Fund Commission.

Detailed statements of collections required daily.

Copies to Chairman, Board of Tax Supervision.

In case of banking holiday, deposits made on next succeeding business day.

In emergency, additional day may be granted for payment or deposit.

Notice of grant to bodies politic.

Publications, notices, etc. in accord with Asheville Charter, Sec. 17 (a).

Settlement by tax collector on July 1, each year.

Manner.

Unpaid taxes, tax sale certificates, etc. to remain in hands of Board of Tax Supervision.

Prompt collections

Duty of Board to supervise tax collector.

Duty of Board to bring foreclosure actions, etc.

Succession to powers and duties of Board of Financial Control.

Effective date.

No powers, duties as to 1928 and prior taxes.

Unpaid 1928 and prior taxes to be collected by respective bodies politic.

Powers granted to respective bodies politic as to collection said taxes.

One action may include all liens, etc. covering same property.

Board authorized to make regulations for operating departments.

It is declared to be the duty of the tax collector to promptly and vigorously proceed with the collection of all taxes placed in his hands for collection, to use all of the means given him by law to that end and to make promptly all sales of real estate for non-payment of taxes within the time required by law. It is declared to be the duty of the Board of Tax Supervision to supervise the performance of said duties by said tax collector and to see that such duties are performed, and it is declared to be the duty of the Board of Tax Supervision to promptly bring all actions authorized and required by law for the foreclosure of tax liens by suit and otherwise to make use of all of the powers and authorities vested in it to secure collection of any and all items of taxes, the duty to collect which is imposed on it or on its tax collector.

SEC. 19. The Board of Tax Supervision and its tax collector, with respect to the collection of taxes shall succeed to the powers and duties of the Board of Financial Control and its tax collector, and shall become effective on the first day of March, one thousand nine hundred and thirty-seven. The Board of Tax Supervision and its tax collector shall have no powers or duties with respect to the collection of any tax items for the year one thousand nine hundred and twenty-eight and prior years. The collection of all tax items for the year one thousand nine hundred and twenty-eight and previous years now uncollected, shall be made by the several bodies politic or municipal corporations for whose benefit they were levied in the manner now provided by law, and for the purpose of such collection and to liquidate and realize upon any tax sale certificates or any property, real or personal, purchased on the foreclosure of any tax sale certificates or tax liens, the governing bodies of the County of Buncombe and the City of Asheville are hereby given and may respectively exercise all of the powers conferred on the Board of Tax Supervision by sub-section (h) of section thirteen of this Act, with respect to any such property now held or hereafter acquired as aforesaid, but such power shall be exercised subject to the limitations imposed by said sub-section (h) of section thirteen insofar as applicable and subject to the rights of owners of real or personal property or the successor or successors in title of such owners as set out in said sub-section.

SEC. 20. It shall be lawful for the Board of Tax Supervision in bringing actions for the foreclosure of tax liens and tax sales certificates, to include in one action any and all liens and certificates covering the same real and/or personal property.

General Provisions

SEC. 21. The Board of Tax Supervision, a subject to any limitations imposed by law, shall have full power and authority to make and establish reasonable rules and regulations for the management and operation of its several departments. By way of illustration, but not of limitation it may:

(a) Prescribe the form of tax notices and tax receipts and the procedure to be followed in connection with the issuing thereof.

May prescribe form of tax notices, etc.

(b) Prescribe the form of all notices, statements and other records and the procedure in connection with the use thereof, deemed proper or necessary to be used in performing any of the duties or exercising any of the powers imposed or conferred by this Act.

May prescribe form of all notices, etc. and procedure.

SEC. 22. The Board of Tax Supervision shall prepare and adopt a budget for its own operations and furnish a copy thereof before June first of each year to the governing body of each body politic and municipal corporation, subject to the provisions of this Act.

Board to adopt budget for own operations.

SEC. 23. The necessary expenses of the Board of Tax Supervision including compensation of officers and employees and all other necessary expenses shall be paid as follows:

Provision for payment, salaries and expenses.

Sixty per cent (60%) thereof by Buncombe County, and

Forty per cent (40%) by the City of Asheville.

The method of handling the accounts between the Board of Tax Supervision for Buncombe County and the City of Asheville, for the prompt payment of all salaries and expenses of the Board of Tax Supervision, shall be determined and adopted by the Chairman of the Board of County Commissioners of Buncombe County and the City Manager of the City of Asheville.

Determination of method of handling accounts.

SEC. 24. For the purpose of carrying out the functions of this Act the Chairman and Tax Supervisor of the Board of Tax Supervision is hereby empowered to employ legal counsel.

Employment of legal counsel authorized.

SEC. 25. That the certain bill introduced in the House of Representatives entitled "An Act to repeal the Statutes creating the Board of Financial Control for Buncombe County and to create a Board of Tax Supervision for Buncombe County; to create certain offices and define the powers and duties thereof" heretofore passed at the one thousand nine hundred and thirty-seven session of the General Assembly and ratified on the fifteenth day of February, one thousand nine hundred and thirty-seven, and all amendments thereto, be, and the same is hereby repealed.

Ch. 72, Public-Local Laws, 1937, and amendments, repealed.

SEC. 26. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 27. If any part of this Act shall be held unconstitutional the remainder shall stand.

Partial invalidity provision.

SEC. 28. That this Act shall be in full force and effect from and after the date of its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A.D. 1937.

H. B. 616

CHAPTER 274

AN ACT RELATING TO ADVANCE COURT COSTS IN WAYNE COUNTY.

The General Assembly of North Carolina do enact:

C. S. C., Wayne County, authorized to collect advance court costs in civil cases.

Sum equal to state process tax.

Additional sum for service of process.

Conflicting laws repealed.

SECTION 1. That the Clerk of the Superior Court of Wayne County and the Clerk of the County Court of Wayne County are hereby authorized to collect as advance court costs in all civil actions or special proceedings started in such courts a sum equal to the state process tax now required under the provisions of chapter three hundred and seventy-one, section one hundred and fifty-seven, sub-section (b), Public Laws of one thousand nine hundred and thirty-five, or such state process tax as may be hereafter required, and such additional amount as may be required to serve all summons or legal processes issued at the time of the institution of said civil actions or special proceedings.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A.D. 1937.

H. B. 652

CHAPTER 275

AN ACT TO AUTHORIZE THE CITY OF DURHAM TO APPOINT A CITY LAKE FISHING COMMISSION AND TO DELEGATE TO IT CERTAIN POWERS.

The General Assembly of North Carolina do enact:

Appointment of "City Lake Fishing Commission," City of Durham, authorized.

Members; terms.

Powers enumerated which City Council may delegate to Commission.

SECTION 1. The City Council of the City of Durham is hereby authorized to appoint a commission to be known as the "City Lake Fishing Commission," to consist of seven members who may hold office for two years, subject to removal at any time by the City Council.

SEC. 2. The City Council may in its discretion delegate to the commission the following powers:

(a) To stock the city lake with fish.

(b) To prescribe written rules and regulations under which fishing and boating may be permitted.

(c) To employ wardens to enforce the said rules and regulations.

(d) To permit, prohibit and regulate the operation of boats on said lake for the purpose of fishing.

(e) To fix a charge for fishing permits.

(f) To regulate the size, kind and number of fish that may be taken from said lake and to adopt open and closed seasons for the taking of fish.

(g) To fix a charge for boating permits and for the rental of fishing tackle and the sale of bait.

SEC. 3. The City Council may provide that all money collected from the sale of permits for fishing and from the sale of boat permits and from the rental of fishing tackle and the sale of bait shall be used in paying the expenses of providing and maintaining fishing facilities on said lake and the salaries of wardens, and that such money shall be expended as may be recommended by the commission.

Use of proceeds from sale of permits.

SEC. 4. The violations of any rule or regulation adopted by the said commission in the exercise of any powers that may be conferred upon it by the City Council, as provided in section two of this Act, shall be a misdemeanor.

Violation of regulations made a misdemeanor.

SEC. 5. All rules, regulations and acts of the commission are subject to the supervision and control of the City Council and may be modified or repealed at any time by the City Council.

Acts, regulations, etc. of Commission subject to approval of City Council.

SEC. 6. This Act shall take effect from and after ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A.D. 1937.

H. B. 691

CHAPTER 276

AN ACT TO ALLOW THE TOWN OF HAMLET TO SELL CERTAIN PROPERTY LYING ON THE EAST SIDE OF THE SEABOARD AIR LINE RAILWAY COMPANY RIGHT-OF-WAY OF ITS TRACKS LEADING FROM RALEIGH TO COLUMBIA AND LYING NORTHWARD OF UNITED STATES HIGHWAY NUMBER SEVENTY-FOUR AND LYING WESTWARD OF FIRST STREET OR BOYD'S LAKE ROAD, WHICH SAID PROPERTY WAS PURCHASED FROM THE JAMISON ESTATE AS IS SHOWN BY DEED RECORDED IN BOOK NUMBER TWO HUNDRED TWENTY-SIX, PAGE NUMBER TWO HUNDRED FIFTY-SEVEN, IN THE OFFICE OF THE REGISTER OF DEEDS FOR RICHMOND COUNTY AT A PRIVATE SALE.

Whereas, the Town of Hamlet owns certain property lying on the East side of the Seaboard Air Line Railway Company right-of-way of its tracks leading from Raleigh to Columbia and lying Northward of United States Highway number seventy-four and lying Westward of First Street or Boyd's Lake Road, which said property was purchased from the Jamison Estate as is shown by deed recorded in Book number two hundred twenty-six, Page number two hundred fifty-seven, in office of the Register of Deeds for Richmond County, and

Preamble: Certain property owned by Town of Hamlet, adjoining S. A. L. Railway right-of-way.

Whereas the said property is necessary for making certain improvements which the Seaboard Air Line Railway Company is planning to make in Hamlet, North Carolina, and

Property necessary for improvements planned by Railway Company.

Offer of Company
to purchase prop-
erty.

Whereas, the Seaboard Air Line Railway Company has agreed to pay the Town of Hamlet a purchase price for the same in a sufficient amount to pay the entire cost thereof, and also to pay all taxes and assessments due against the same to the extent that the Town of Hamlet will lose nothing in said transaction, and

Town of Hamlet
anxious to cooperate.

Whereas, the governing body of the Town of Hamlet is anxious to co-operate with the said Seaboard Air Line Railway Company in bringing about the improvements desired to be made in that the Seaboard Air Line Railway Company is planning to make extensive improvements which will greatly enhance the taxable valuations in said Town of Hamlet, and

Purpose of original
purchase.

Whereas the said property was originally purchased by the Town of Hamlet with the view of having the proper and necessary site to offer to the Seaboard Air Line Railway Company as an inducement for making said improvements to its shops and repair equipment within the corporate limits of the Town of Hamlet, and

Property of no
practical value
except to Railway
Company.

Whereas the said property has practically no value to the Town of Hamlet or to any other individual or corporation with the exception of the said Seaboard Air Line Railway Company, and that the private sale of the same as hereinbefore set forth is more than could be obtained at any public sale thereof;

Private sale
advantageous.

Now, Therefore,

The General Assembly of North Carolina do enact:

Town of Hamlet
authorized to sell
and convey property
to S. A. L. Railway
Company.

SECTION 1. That the Commissioners of the Town of Hamlet be and they are hereby authorized to sell and convey in fee simple to the Seaboard Air Line Railway Company the property of the Town of Hamlet, lying on the East side of the Seaboard Air Line Railway Company right-of-way of its tracks leading from Raleigh to Columbia, and lying Northward of United States Highway number seventy-four and lying Westward of First Street or Boyd's Lake Road, which said property was purchased from the Jamison Estate as is shown by deed recorded in Book number two hundred twenty-six, Page number two hundred fifty-seven, in office of the Register of Deeds for Richmond County at a private sale, for a price of not less than one thousand four hundred eighty and thirteen one hundredths (\$1,480.13) dollars cash; and that the Mayor and Clerk of the Town of Hamlet be and they are hereby authorized, empowered and directed, upon resolution of the Board of Commissioners of the Town of Hamlet, to execute a deed conveying said property to the Seaboard Air Line Railway Company in fee simple, upon the payment of the purchase price set therefor by the Board of Commissioners of the Town of Hamlet, and not less than the sum of one thousand four hundred eighty and thirteen one hundredths (\$1,480.13) dollars.

Description of
property.

Private sale.

Price.

Fee simple deed
authorized.

Conflicting laws
repealed.

SEC. 2. That all laws and clauses of laws in conflict with this Act be and the same are hereby repealed.

SEC. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A.D. 1937.

H. B. 757

CHAPTER 277

AN ACT TO EXTEND THE JURISDICTION OF THE MAYOR AND POLICE OF THE TOWN OF SELMA, JOHNSTON COUNTY, ONE MILE BEYOND THE CORPORATE LIMITS OF SAID TOWN.

The General Assembly of North Carolina do enact:

SECTION 1. That the jurisdiction of the mayor and police of the Town of Selma, Johnston County, be and the same is hereby extended one mile beyond the present corporate limits of said town.

Jurisdiction of Mayor and Police, Town of Selma, Johnston County, extended one mile.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A.D. 1937.

H. B. 766

CHAPTER 278

AN ACT PROVIDING FOR THE EXTENSION OF SPECIAL ASSESSMENTS IN THE TOWN OF CHINA GROVE, ROWAN COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That at any time or times prior to July the first, one thousand nine hundred and thirty-eight, the governing body of the Town of China Grove, Rowan County, North Carolina, may adopt a resolution granting an extension of the time for the payment of any instalment or instalments of any special assessment, including accrued interest thereon and costs accrued in any action to foreclose under the lien thereon, by arranging such instalment or instalments, interest and costs into a new series of ten equal instalments so that one of said instalments shall fall due on the first Monday in October after the expiration of one year after adoption of the aforesaid resolution and one of said instalments on the first Monday in October of each year thereafter. Accrued interest on any instalment or instalments of any special assessment extended under the provisions of this Act shall be computed to the first Monday in October following the adoption of the aforesaid resolutions: *Provided, however,* that such extension shall not prevent the payment of any as-

Town of China Grove authorized to extend time for payment of special assessment instalments.

New series of instalments authorized.

Computation of accrued interest.

Prepayment.

No discrimination.

Interest on deferred instalments.

Applies only to Town of China Grove.

Conflicting laws repealed.

assessment or interest at any time: *Provided, further*, no such extension shall in any way discriminate in favor of or against any property assessed by virtue of said assessment roll: *Provided, further*, that any instalment, or instalments, together with accrued interest and costs extended in accordance with the provisions of this Act shall bear interest at the rate of six per centum per annum from the first Monday in October following the adoption of the aforesaid resolution.

SEC. 2. That this Act shall apply only to the town of China Grove, Rowan County, North Carolina.

SEC. 3. That all laws and clauses of laws inconsistent with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A.D. 1937.

S. B. 165

CHAPTER 279

AN ACT TO AUTHORIZE CREATION OF SCHOOL DISTRICTS, THE ISSUANCE OF SCHOOL BUILDING BONDS AND NOTES IN BEHALF OF SCHOOL DISTRICTS FOR SPECIAL BOND TAX UNITS AND THE LEVY OF TAXES WITHIN SUCH DISTRICTS AND UNITS FOR THE PAYMENT OF THE PRINCIPAL AND INTEREST OF SUCH BONDS AND NOTES.

The General Assembly of North Carolina do enact:

County Boards of Education authorize, upon petition of 10% voters, to hold public hearing on question of creating a school district.

Notice of hearing.

Contents.

Persons interested may be heard.

Hearings are advisory only.

Authority vested in County Board to create districts.

SECTION 1. Upon receipt of a petition, signed by not less than ten (10%) per cent of the qualified voters of the territory described in such petition, praying that such territory be created into a school district and that bonds and/or notes be issued under the provisions of this Act, the County Board of Education of the county in which such territory is located shall cause notice to be given by posting at the courthouse door, and at three public places in such territory, and by three weekly publications in a newspaper circulating in such territory, that on a date to be named in such notice, which shall not be earlier than twenty days after the first posting and publication of such notice, it will hold a public hearing upon the question of creating a school district comprising the territory described in such petition and set forth in such notice, and that any taxpayer or other interested person may appear and be heard. At the time and place stated in such notice, the board shall hear all interested persons and may adjourn the hearing from time to time.

SEC. 2. Such hearing shall be advisory only to the County Board of Education and the board may deny such petition, or it may grant such petition and enter an order creating a school district, comprising either the territory described in such peti-

tion or a part of such territory and additional territory, and the order of the board creating such school district shall define the boundaries thereof: *Provided, however*, that all the territory embraced in a new school district shall be located in one county. Each school district so created shall be designated by the board as the ".....School District of.....County," inserting in the blank spaces some name identifying the locality and the name of the county.

Territory comprising district.

Limited to one county.

Designation of district.

SEC. 3. Whenever the County Board of Education shall so petition, the Board of County Commissioners shall order a special election to be held in any such school district or in any such special bond tax unit for the purpose of voting upon the question of issuing bonds and/or notes and levying a sufficient tax for the payment thereof for the purpose of acquiring, erecting, enlarging, altering and equipping school buildings and purchasing sites in such district or unit, or for any one or more of said purposes. In all such elections the Board of County Commissioners shall designate the polling place or places, appoint the registrars and judges, and canvass and judicially determine the results of the election upon filing with it of the elections returns by the officers holding the election, and shall record such determination on their records. The notice of election shall be given by publication at least three times in some newspaper published or circulating in such district or such unit. The notice shall state the date of the election, the place or places at which the election will be held, the boundary lines of such districts or of such unit, unless the district or unit is coterminous with a city, town or township (in which event the notice shall so state), the maximum amount of bonds and/or notes to be issued, the purpose or purposes for which the bonds and/or notes are to be issued, and the fact that a sufficient tax will be levied on all taxable property within the district or unit for the payment of the principal and interest of the bonds and/or notes. The first publication of the notice shall be at least thirty days before the election. A new registration of the qualified voters of such district or unit shall be ordered and notice of such new registration shall be deemed to be sufficiently given by publication once in some newspaper published or circulating in such district or unit at least thirty days before the close of the registration books. This notice of registration may be considered one of the three notices required of the election. Such published notice of registration shall state the days on which the books will be open for registration of the voters and the place or places at which they will be open on Saturdays. The books of such new registration shall close on the second Saturday before the election. The Saturday before the election shall be challenge day and except as otherwise provided in this Act, such election shall be held in accordance with the laws governing general elections. The form of the question, as stated on the ballot or ballots, shall be in substantially the words: "For

Calling of election.

Conduct.

Notice of election.

Contents of notice.

Publication.

New registration.

Notice.

Contents.

Closing of books.

Challenge day.

Issues submitted.

	the issuance of \$..... School Bonds and/or Notes and the levying of a sufficient tax for the payment thereof," and "Against the issuance of \$..... School Bonds and/or Notes and the levying of a sufficient tax for the payment thereof." Such affirmative and negative form may be printed upon
Printing of ballots.	separate ballots, or both thereof may be printed on one ballot, containing squares opposite the affirmative and the negative forms, in one of which squares the voter may make a cross (X) mark.
Making and canvassing returns.	SEC. 4. At the close of the polls the election officers shall count the votes and make returns thereof to the Board of County Commissioners, which board shall, as soon as practicable after the election, judicially pass upon the returns and judicially determine and declare the results of such election, which determination shall be spread upon the minutes of said board. The returns shall be made in duplicate, one copy of which shall be delivered to the Board of County Commissioners as aforesaid and the other filed with the Clerk of the Superior Court of the county in which the school district or unit is situated. The Board of County Commissioners shall prepare a statement showing the number of votes cast for and against the bonds and/or notes, and declaring the result of the election, which statement shall be signed by the chairman of the board and attested by the clerk, who shall record it in the minutes of the board and file the original in his office and publish it once in a newspaper published or circulating in such district or unit.
Results determined and declared.	
Results published.	
Limitation of actions.	SEC. 5. No right of action or defense founded upon the invalidity of such election or the invalidity of any proceedings or steps taken in the creation of such district or such unit shall be asserted, nor shall the validity of such election or the validity of the creation of such district or such unit, or the right or duty to levy sufficient tax for the payment of the principal and interest of such bonds and/or notes, be open to question in any court upon any ground whatever, except in an action or proceeding commenced within thirty days after the publication of such statement of results as provided in the preceding section.
Issuance of bonds.	SEC. 6. If a majority of the votes cast shall be in favor of the issuance of such bonds and/or notes and the levy of such tax, then the Board of County Commissioners may provide by resolution, which resolution may be finally passed at the same meeting at which it is introduced, for the issuance of such bonds and/or notes, which bonds and/or notes shall be issued in the name of the county, but they shall be made payable exclusively out of taxes to be levied in such district or such unit, except the Board of County Commissioners may pay from county funds any part of the principal and interest of said bonds and/or notes. They shall be issued in such form and denominations, and with such provisions as to the time, place and medium of payment of principal and interest as the said Board of County
Payable exclusively out of taxes levied in such special district.	
Exception.	
Form, denomination, and provisions.	

Commissioners may determine, subject to the limitations and restrictions of this Act. They may be issued as one issue, or divided into two or more separate issues, and in either case may be issued at one time or in blocks from time to time. When bonds are to be issued, they shall be serial bonds and each issue thereof shall so mature that the aggregate principal amount of the issue shall be payable in annual installments or series, beginning not more than three years after the date of the bonds of such issue and ending not more than thirty years after such date. No such installment shall be more than two and one-half times as great in amount as the smallest prior installment, of the same bond issue. The bonds and/or notes shall bear interest at a rate not exceeding six per cent (6%) per annum, payable semi-annually, and may have interest coupons attached, and may be made registerable as to principal or as to both principal and interest, under such terms and conditions as may be prescribed by said board. They shall be signed by the Chairman of the Board of County Commissioners, and the seal of the county shall be affixed to or impressed upon each bond and/or note and attested by the Register of Deeds of the county or by the clerk of said board; and the interest coupons shall bear the printed, lithographed or facsimile signature of such chairman. The delivery of bonds and/or notes, signed as aforesaid by officers in office at the time of such signing, shall be valid, notwithstanding any changes in office occurring after such signing.

SEC. 7. The Board of County Commissioners is hereby authorized and directed to levy annually a special tax, ad valorem, on all taxable property in the district or in the special bond tax unit in which the election was held, sufficient to pay the principal and interest of the bond and/or notes as such principal and interest become due. Such special tax shall be in addition to all other taxes authorized to be levied in such district or in such unit. The taxes provided for in this section shall be collected by the county officer collecting other taxes and be applied solely to the payment of principal and interest of such bonds and/or notes.

SEC. 8. That in case a county, through its Board of Education and County Commissioners, or any other governing body, shall borrow money for school purposes from the State of North Carolina Literary Fund or from any of the special building funds of the state, or shall contract an indebtedness to any other source for the benefit of any school district coming within the provisions of this Act, the county shall have full power and authority to pay said indebtedness exclusively out of taxes to be levied in such district or unit receiving the benefit of said loan or indebtedness, except the Board of County Commissioners may pay from county funds any part of the principal and interest of said indebtedness.

SEC. 9. The powers conferred by this Act shall be regarded as supplemental and in addition to powers conferred by other

Issue.

Nature of obligations issued.

Interest rate.

Registration.

Execution.

Special tax levy authorized.

Collection and application.

Other obligations contracted for benefit of special districts.

Repayment from district or county funds.

Supplemental to other grants of authority.

laws and shall not supplant or repeal any existing powers for the issuance of bonds and/or notes, or any provisions of law for the payment of bonds and/or notes issued under such powers, or for the custody of moneys provided for such payment.

SEC. 10. This Act shall constitute full authority for the things herein authorized and no proceedings, publications, notices, consents or approvals shall be required for the doing of the things herein authorized, except such as are herein prescribed and required, and except that the provisions of the Local Government Act then in force as to the approval of the issuance of bonds and/or notes and endorsements of such approval upon such bonds and/or notes and as to the sale of bonds and/or notes and the disposition of the proceeds, shall be applicable to the bonds and/or notes authorized by this Act. The proceeds shall be paid out only upon order of the County Board of Education.

Approval of bond
issues by Local
Govt. Commission.

Applies only to
Buncombe County.

Conflicting laws
repealed.

SEC. 11. This Act shall apply only to Buncombe County.

SEC. 12. All laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 13. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times, and ratified, this the 13th day of March, A.D. 1937.

H. B. 801

CHAPTER 280

AN ACT RELATING TO REAL ESTATE SOLD FOR TAXES TO BERTIE COUNTY AND TO THE TOWN OF AULANDER.

The General Assembly of North Carolina do enact:

Agreement between
Commissioners,
Bertie County and
Town of Aulander,
for joint disposal of
real estate acquired
at tax foreclosure,
authorized.

SECTION 1. The County Commissioners of Bertie County and the Commissioners of the Town of Aulander, Bertie County, North Carolina, are hereby empowered to agree and contract by and between and on behalf of Bertie County and the Town of Aulander for the disposition or conveyance of any real estate located within the incorporated limits of the Town of Aulander, to which Bertie County holds title by reason of foreclosure for county taxes or holds certificates by reason of county tax sales, and to which the Town of Aulander holds title by reason of foreclosure for town taxes or holds certificates by reason of town tax sales or upon which town taxes have not been levied and assessed since the acquisition of title or certificate by the county.

Joint conveyances by
County and Town
authorized.

SEC. 2. The power conferred by this Act shall include joint conveyances by Bertie County and the Town of Aulander by deed to a purchaser or purchasers, and it shall extend to division and conveyance by deed by and between Bertie County and the Town of Aulander, one to the other.

Division of lands
between Town and
County, authorized.

SEC. 3. The power conferred by this Act shall be exercised

upon mutual consent and agreement of the County Commissioners of Bertie County and the Commissioners of the Town of Aulander.

Power exercised
upon mutual consent.

SEC. 4. Sales and conveyances made pursuant to the provisions of this Act may be either public or private.

Public or private
sales authorized.

SEC. 5. Division of lands and distribution of proceeds of sales, as herein provided, may be made upon a pro rata basis in proportion to the amount of taxes owing to the county and to the Town of Aulander, or upon any other basis which in the judgment of the County Commissioners and the Town Commissioners is satisfactory and proper.

Basis for division of
lands, distribution of
proceeds of sales.

SEC. 6. All laws and clauses of laws in conflict with this Act are hereby repealed, insofar as they affect Bertie County and the Town of Aulander.

Conflicting laws
repealed.

SEC. 7. If any part of this Act shall be declared unconstitutional, it shall not affect any other part of the Act.

SEC. 8. This Act shall be in full force and effect after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

S. B. 254

CHAPTER 281

AN ACT RELATING TO THE DUTIES OF THE MAYOR OF THE TOWN OF MOUNT HOLLY.

The General Assembly of North Carolina do enact:

SECTION 1. That the governing body of the Town of Mount Holly be and they are hereby authorized and empowered in their discretion to provide that the duties usually performed by the town attorney may be performed by the mayor thereof, if said mayor is a duly licensed attorney, for the performance of which additional duties he shall be paid such additional compensation as may be fixed by said governing body.

Town of Mt. Holly
authorized to have
Mayor perform
duties of town
attorney, if mayor
licensed lawyer.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Additional
compensation.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

Conflicting laws
repealed.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 238

CHAPTER 282

AN ACT TO PLACE A BOUNTY UPON THE SCALPS OF COYOTES, WILD CATS, CROWS AND CHICKEN HAWKS KILLED IN MACON COUNTY.

The General Assembly of North Carolina do enact:

Commissioners,
Macon County,
authorized to pay
bounty for scalps
of coyotes, etc.
killed in County.

SECTION 1. That the County Commissioners of Macon County are hereby authorized to pay a bounty of ten dollars (\$10.00) each for the scalps of coyotes, three dollars (\$3.00) each for the scalps of wild cats and twenty-five cents (25c) each for the scalps of crows and chicken hawks killed in Macon County from and after the ratification of this Act.

Conflicting laws
repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 385

CHAPTER 283

AN ACT TO AMEND CHAPTER FIVE HUNDRED TWENTY-ONE, PUBLIC-LOCAL LAWS, NINETEEN HUNDRED AND THIRTY-FIVE RELATIVE TO AUTOMATIC SHOT GUNS IN CATAWBA COUNTY.

The General Assembly of North Carolina do enact:

Ch. 521, Public-
Local Laws, 1935,
amended.

Killing quail with
automatic shotgun
unlawful in Catawba
County, except where
gun capacity reduced
to 3 shells.

SECTION 1. That section one of chapter five hundred nineteen, Public-Local Laws of nineteen hundred and thirty-five be amended to read as follows: "That it shall be unlawful to kill quail in Catawba County with automatic or hand operated repeating shot gun capable of holding more than three shells, the magazine of which has not been cut off, plugged with a one-piece metal or wooden filler incapable of removal through the loading end thereof, so as to reduce the capacity of the gun to three shells at one loading."

Conflicting laws
repealed.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 419

CHAPTER 284

AN ACT TO AMEND CHAPTER THREE HUNDRED AND FOURTEEN OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-THREE RELATING TO THE SALARY OF THE ASSISTANT CLERK OF THE SUPERIOR COURT OF WAKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and fourteen, section one, of the Public-Local Laws of one thousand nine hundred and thirty-three, be, and the same is hereby amended by striking out the words "one thousand eight" in line seven, and inserting in lieu thereof the words "two thousand."

Ch. 314, Public-Local Laws, 1933, amended, to increase salary of assistant C. S. C., Wake County.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after the date of its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 445

CHAPTER 285

AN ACT TO REPEAL CHAPTER ONE HUNDRED FIFTY-SIX OF PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-THREE, AND CHAPTER ONE HUNDRED SEVENTY-EIGHT, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-FIVE, RELATING TO THE COLLECTION OF BACK TAXES IN THE CITY OF HENDERSONVILLE, AND TO REPEAL CERTAIN LEGISLATION RELATIVE THERETO.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred fifty-six, Private Laws of one thousand nine hundred thirty-three session of the General Assembly of North Carolina, the same being entitled: "An Act to allow the Commissioners of the Town of Hendersonville to accept bonds and/or notes in payment of certain taxes," be and the same is hereby repealed.

Ch. 156, Private Laws, 1933, repealed.

SEC. 2. That chapter one hundred seventy-eight of the Public-Local Laws of the one thousand nine hundred thirty-five session of the General Assembly of North Carolina, the same being entitled: "An Act to aid the collection of back taxes in the City of Hendersonville," as amended by chapter two hundred twenty-four of the Private Laws of said session, be and the same is hereby repealed.

Ch. 178, Public-Local Laws, 1935, as amended by Ch. 224, Private Laws, 1935, repealed.

SEC. 3. That any and all taxes due the City of Henderson-

1933 and prior taxes, City of Hendersonville, payable with City bond coupons maturing through July 1, 1937.

Payable with refunding bonds to be issued.

Acceptable at face value.

Conditions prescribed.

Debt service portion, 1934-35-36 taxes, payable with bond coupons, etc., maturing through July 1, 1937.

Other portions, said taxes, to be paid in cash.

Conditions prescribed.

Use of bonds, etc. deposited with collector under prior laws.

Such bonds not receivable for taxes hereafter.

Certificates deposited with Harris Trust and Savings Bank acceptable to pay taxes.

Prerequisite.

ville by any taxpayer for the year one thousand nine hundred thirty-three and previous years, may be paid with coupons past due or maturing through July first, one thousand nine hundred thirty-seven, or with interest claims evidencing interest now due or accruing through July first, one thousand nine hundred thirty-seven, on city bonds or notes not represented by coupons, or with refunding bonds hereafter to be issued pursuant to a plan of settlement recently entered into by and between the City of Hendersonville and a Bond-holders' Committee, representing more than a majority of the outstanding indebtedness of the city and dated January fourth, one thousand nine hundred thirty-seven; and the City Tax Collector shall accept the same in payment of such taxes at their face value: *Provided*, said taxes are paid in such manner on or before July first, one thousand nine hundred forty, and provided the bonds or notes from which such coupons or interest claims have accumulated have been deposited under the aforementioned plan of settlement dated January fourth, one thousand nine hundred thirty-seven.

SEC. 4. That the debt service portion of any and all taxes due the city by any taxpayer for the years one thousand nine hundred thirty-four, one thousand nine hundred thirty-five, and one thousand nine hundred thirty-six, may be paid with coupons past due or maturing through July first, one thousand nine hundred thirty-seven, or with interest claims evidencing interest now due or accruing through July first, one thousand nine hundred thirty-seven, on city bonds or notes not represented by coupons upon the payment of the other portion of said taxes in cash, and the City Tax Collector shall accept same in the payment of such taxes at their face value: *Provided*, said taxes are paid in such manner on or before July first, one thousand nine hundred thirty-seven, and *provided* the bonds or notes on which such coupons or interest claims have accumulated have been deposited under the aforementioned plan of settlement.

SEC. 5. That any city bonds or notes deposited with the City Tax Collector prior to the ratification of this Act for the purpose of being used in the payment of taxes under the laws heretofore enacted allowing certain taxes to be paid with such bonds or notes, may be used in the payment of such taxes as are authorized by sections three and four of this Act to be paid with past due coupons, interest claims and/or refunding bonds, but no such bonds or notes shall be received by the tax collector after the ratification of this Act, for the purpose of being used in the payment of taxes. That any bonds or notes now deposited by said Bond-holders' Committee with the Harris Trust & Savings Bank of Chicago, Illinois, under deposit agreement between the owners of such bonds or notes and said committee, where the certificate of deposit representing any such bonds or notes has been deposited with the City Tax Collector prior to the ratification of this Act, may also be used in the payment of such taxes.

SEC. 6. Except as provided by sections three, four and five of this Act all taxes now levied and assessed by the City of Hendersonville, and all taxes that may hereafter be levied and assessed by said city shall be paid only in the existing national currency and the board of commissioners of said city shall have no authority whatever to make any order for the payment of taxes by any other means.

All taxes, present or future, except as herein provided, payable in currency.

SEC. 7. That no interest or penalties shall be added to the taxes for the year one thousand nine hundred thirty-six and previous years, but the sum of six dollars (\$6.00) for court costs and attorneys' fees shall be added and paid in cash in all cases where tax foreclosure suits have been or may hereafter be instituted for the collection of such taxes.

No interest or penalties on 1936 and prior taxes.

\$6.00 added as costs, in foreclosure cases.

SEC. 8. That any uncollected street paving assessments, water or sewer assessments, or other special assessments owing to the City of Hendersonville for any year or years, past or future, may be paid in whole or in part with coupons past due or maturing through July first, one thousand nine hundred thirty-seven, or with interest claims evidencing interest now due or accruing through July first, one thousand nine hundred thirty-seven, on city bonds or notes not represented by coupons, or with unmatured refunding bonds issued under the plan of settlement hereinbefore referred to; and the Tax Collector of the City of Hendersonville shall accept such coupons, interest claims and refunding bonds at their face value on such assessments and/or the interest, costs and penalties thereon: *Provided*, the bonds or notes on which such coupons or interest claims have accumulated have been deposited under the aforementioned plan of settlement.

Unpaid paving and other assessments payable with City bonds, coupons, etc.

Acceptable at face value.

Condition.

SEC. 9. The taxes against any one or more pieces of real estate assessed against any taxpayer may be paid under the provisions of this Act, and such piece or pieces of real estate redeemed: *Provided*, the proportionate part of the tax charged and assessed against the personal property of the party in whose name such piece or pieces of land are assessed shall also be paid.

Redemption of property upon payment of taxes.

SEC. 10. The Board of Commissioners of the City of Hendersonville is hereby authorized and empowered to sell and convey (at public or private sale) any land which the city may have acquired, or may hereafter acquire, under foreclosure of tax liens, or in any other manner whatsoever, at such prices and on such terms as it may deem adequate and proper, and may accept in payment or part payment of the purchase price thereof any outstanding unmatured refunding bonds, or coupons now past due or maturing through July first, one thousand nine hundred thirty-seven, or interest claims evidencing interest now due or accruing through July first, one thousand nine hundred thirty-seven, on city bonds or notes not represented by coupons: *Provided*, the bonds or notes from which such coupons or interest claims have accumulated have been deposited under the

Commissioners authorized to sell land acquired under tax foreclosure.

Refunding bonds, etc. acceptable on purchase price.

Conditions.

City's prior acceptance of bonds, etc. in payment of taxes, etc., ratified.

Hendersonville not liable to Henderson County for tax foreclosure costs where taxpayer relieved thereof.

No liability until costs paid by taxpayer.

Conflicting laws repealed.

forementioned plan of settlement: *Provided, further*, that this section shall not apply to land held for municipal purposes.

SEC. 11. That in all cases where the City of Hendersonville has heretofore accepted bonds and/or notes and/or coupons of said city in payment, or part payment, of taxes and/or assessments, the same is hereby ratified and approved.

SEC. 12. The City of Hendersonville shall not be liable to Henderson County, or to any official of said county for any costs incurred in tax foreclosure suits instituted by said city in cases where the taxpayer was relieved from the payment of such costs under the provisions of chapter one hundred and eighty-two of the Private Laws of nineteen hundred and thirty-three; nor shall the city be liable to said county or to any official thereof for costs in any foreclosure suits that have been or may hereafter be brought for the collection of taxes until such costs have been paid by or on behalf of the taxpayer.

SEC. 13. That all laws or clauses of laws, whether general or special, in conflict with this Act are hereby repealed insofar as they apply to the City of Hendersonville.

SEC. 14. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 476

CHAPTER 286

AN ACT VALIDATING THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00) SEWER BONDS OF THE TOWN OF SPINDALE.

Preamble: Ordinance passed by Town of Spindale authorizing sewer bonds.

Necessary expense.

Immediate construction of sewer extensions requested.

Bond issue approved at election.

Whereas, the Board of Commissioners of the Town of Spindale on December twenty-eighth, one thousand nine hundred thirty-six passed an ordinance authorizing thirty-five thousand dollars (\$35,000.00) sewer bonds of said town for the purpose of acquiring funds for constructing extensions to the sanitary sewer system of the town, including the payment of obligations heretofore incurred, and the reimbursement of funds of the town for advances theretofore made for such purpose, the same constituting a necessary expense of the town; and

Whereas, the State Board of Health requested the construction of such extensions at the earliest possible date; and

Whereas, at an election held February second, one thousand nine hundred thirty-seven, the issuance of said bonds was approved by more than a majority of the qualified voters of said town voting thereon; *Now, Therefore*,

The General Assembly of North Carolina do enact:

Ordinance, Town of Spindale, authorizing sewer bonds and proceedings relating thereto, validated.

SECTION 1. That the ordinance passed by the Board of Commissioners of the Town of Spindale on December twenty-eighth, one thousand nine hundred thirty-six authorizing thirty-five

thousand dollars (\$35,000.00) sewer bonds of said town, which ordinance was approved by more than a majority of the qualified voters of said town voting thereon at an election held February second, one thousand nine hundred thirty-seven, and all proceedings heretofore taken in connection with the issuance of said bonds, be, and the same are hereby validated and confirmed, and the Board of Commissioners of said town is hereby authorized and empowered to issue said bonds at one time or from time to time, in accordance with the provisions of the Municipal Finance Act, as amended, and the Local Government Act, as amended.

Commissioners of Town authorized to issue said bonds.

SEC. 2. The powers granted by this Act are granted in addition to and not in substitution for existing powers of said town.

Powers granted in addition to existing powers.

SEC. 3. This Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 477

CHAPTER 287

AN ACT TO CREATE A PARK COMMISSION FOR THE TOWN OF BEAUFORT, NORTH CAROLINA.

Whereas, by Act of the General Assembly of one thousand nine hundred and thirty-five the Town of Beaufort, North Carolina, was entitled to procure by purchase and gift certain properties lying outside the limits of said town for the purpose of creating a community center, parks, and streets leading thereto; and

Preamble: Town of Beaufort entitled to acquire properties for community center.

Whereas, with the help of Government agencies there have been erected buildings and other improvements upon the properties, including the grading of roadways and streets; and

Improvements upon properties erected.

Whereas, there is now the desire of the Town of Beaufort to create a governing body for said properties and other properties which may be hereafter acquired; *Now, Therefore*,

Desire of Town to create governing body for properties.

The General Assembly of North Carolina do enact:

SECTION 1. That the Town Commissioners of Beaufort, North Carolina are hereby empowered to elect a commission to be known as a Park Commission in the following manner: One commissioner to serve for a term of two years, and to be chairman; one commissioner to serve for a term of three years, one commissioner to serve for a term of one year, all from the date of their election.

Election of Park Commission authorized.

Staggered terms.

SEC. 2. Upon expiration of the term of any commissioner, or should any commissioner be unable by any disability to serve, the remaining commissioners, together with the Mayor of the Town of Beaufort, shall choose a successor.

Successor and vacancy appointments.

Commission authorized to employ caretakers, fix fees for use of property, etc.

SEC. 3. The Park Commission here created will have the right to employ caretakers for the properties under their charge, to fix fees for the use of these properties, to appoint officers, who, together with the officers of the Town of Beaufort shall have full police powers upon said properties and to do such other things as may be necessary and advisable for carrying on the further development and caring for the properties under their charge.

Commission authorized to acquire further properties.

SEC. 4. The Park Commission is hereby empowered to purchase with funds in their hands or to accept donations of any further properties that it may be desirable to include with the properties now to be given in their charge.

No power to dispose of properties.

SEC. 5. The commissioners here created shall not have the power of disposing of the properties, either by lease or by sale.

No authority to create indebtedness.

SEC. 6. The commissioners shall pay salaries and expense from receipts and donations and shall not create any indebtedness against the properties under their charge or against the Town of Beaufort, North Carolina.

Conflicting laws repealed.

SEC. 7. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 8. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 797

CHAPTER 288

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF PASQUOTANK COUNTY TO REGULATE THE SALARY OF THE OFFICE OF COUNTY AUDITOR.

The General Assembly of North Carolina do enact:

Salary, County Auditor, Pasquotank County.

SECTION 1. That the Board of County Commissioners of Pasquotank County is hereby authorized to pay to the County Auditor, in its discretion, a salary not to exceed the sum of two thousand (\$2,000.00) dollars per annum for his services as County Auditor.

Conflicting laws repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 495

CHAPTER 289

AN ACT TO AMEND CHAPTER THIRTY-ONE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-THREE, RELATING TO FIXING THE SALARY OF THE AUDITOR OF CLEVELAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter thirty-one of the Public-Local Laws of one thousand nine hundred thirty-three, be, and the same is hereby amended by striking out all of section one in said Act and inserting in lieu thereof the following:

“Section 1. That the salary of the county auditor shall be fixed by the Board of Commissioners of Cleveland County in the same manner as the salaries of other county officers are now fixed under the provisions of chapter four of the Public-Local Laws of one thousand nine hundred thirty-three.”

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

Ch. 31, Public-Local Laws, 1933, amended.

Cleveland County Auditor's salary to be fixed as salaries of other county officers.

Conflicting laws repealed.

H. B. 516

CHAPTER 290

AN ACT RELATING TO THE FEES FOR THE SHERIFF'S OFFICE OF AVERY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the fees allowed and paid to the sheriff or other law enforcing officer of Avery County, prior to the enactment of chapter four hundred and nine of the Public-Local Laws of one thousand nine hundred and thirty-five, be, and the same are hereby re-enacted.

SEC. 2. That this Act shall not be construed as allowing the sheriff any fees for the collection or settlement of taxes, nor changing fees allowed the jailor.

SEC. 3. That all laws or clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

Fees of Sheriff, Avery County.

Construction of Act.

Conflicting laws repealed.

H. B. 525

CHAPTER 291

AN ACT TO VALIDATE CERTAIN BONDS AND NOTES OF THE COUNTY OF ALEXANDER AND AUTHORIZING THE ISSUANCE OF REFUNDING AND FUNDING BONDS OF SAID COUNTY.

The General Assembly of North Carolina do enact:

Bonds and notes of Alexander County, validated.

SECTION 1. There are hereby validated and declared to be the valid and binding obligations of the County of Alexander, the following bonds issued or assumed by said county all of which indebtedness was issued to pay necessary expenses and incurred for a special purpose;

Enumerated.

\$25,000.00	Good Road 5% Bonds, Dated January 1, 1917, Due January 1, 1937
\$ 5,000.00	Funding 5½% Bonds, Dated January 1, 1925, Due January 1, 1935
\$ 7,000.00	Funding 5% Bonds, Dated August 1, 1927, Due \$1,000.00 August 1, 1934; \$3,000.00 August 1, 1936, and \$3,000.00 August 1, 1937
\$20,000.00	Funding 6% Bonds, Dated May 1, 1932, Due \$5,000.00 May 1, 1934; \$5,000.00 May 1, 1935; \$9,000.00 May 1, 1936, and \$1,000.00 May 1, 1937
\$11,000.00	Refunding 6% Bonds, Dated July 1, 1932, Due \$4,000.00 July 1, 1936; \$2,000.00 July 1, 1937, and \$5,000.00 July 1, 1938
\$12,000.00	Taylorsville High School Building 6% Bonds, Dated May 1, 1922, Due \$2,000.00 May 1st of each of the years 1933, 1934, 1935, 1936, 1937 and 1938
\$ 7,000.00	Stony Point High School Building 6% Bonds, Dated July 1, 1922, Due \$1,000.00 July 1st of each of the years, 1933, 1934, 1935, 1936, and 1937 and \$2,000.00 July 1, 1938
\$12,500.00	Alexander County 6% Note, Dated December 26, 1934, Due June 26, 1935

Alexander County authorized to issue refunding and funding bonds.

SEC. 2. The Board of Commissioners of Alexander County is hereby authorized and empowered to issue in the name of Alexander County at one time or from time to time, in accordance with the provisions of the County Finance Act, as amended, and the Local Government Act, as amended, negotiable bonds of the County of Alexander for the purpose of refunding and funding all or any part of the principal of said bonds and notes.

Special tax levy to pay bonds, authorized.

SEC. 3. The Board of Commissioners of said county is hereby further authorized to levy annually a special tax ad valorem on all taxable property in said county for the special purpose of paying the principal and interest of all bonds issued under this Act as such principal and interest become due, which tax shall be in addition to all other taxes authorized by law to be levied in said county.

SEC. 4. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws
repealed.

SEC. 5. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 566

CHAPTER 292

AN ACT TO FIX THE FEES OF THE SHERIFF OF CASWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the following shall constitute the legal fees to be charged and collected by the Sheriff of Caswell County:

Executing summons or notice, one dollar and fifty cents.

Arrest of defendant in civil action, two dollars and fifty cents.

Arrest of defendant in a criminal action, two dollars and fifty cents.

Executing subpoena on a witness, sixty cents.

In claim and delivery for serving the original in each case, one dollar, and for taking the property claimed, two dollars.

Collecting executions for money in civil action, five per cent on the amount collected up to five hundred dollars and two and one-half per cent on all over five hundred dollars.

Taking any bond or undertaking, including furnishing the blanks, one dollar.

For levying an attachment, two dollars and fifty cents.

Service of writ of ejectment, three dollars.

For every execution, either in civil or criminal cases, one dollar and fifty cents.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

Fees of Sheriff,
Caswell County.

Executing summons,
etc.

Arresting defendant
(civil).

Arresting defendant
(criminal).

Executing subpoena.

Serving papers, taking
property in claim
and delivery.

Collecting executions.

Taking bond.

Levying attachment.

Serving ejectment
writ.

Executions.

Conflicting laws
repealed.

H. B. 599

CHAPTER 293

AN ACT TO VALIDATE THE ACKNOWLEDGMENT OF CERTAIN DEEDS AND OTHER INSTRUMENTS IN HENDERSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That in all cases where it appears from the records in the office of the Register of Deeds that a deed or other instrument, required or allowed to be recorded, was filed for record prior to the first day of January, one thousand nine hun-

Certificates of
acknowledgement,
etc. registered prior
to Jan. 1, 1925,
Henderson County,
validated.

Adjudication of Clerk constitutes conclusive presumption of acknowledgment or privy examination.

Pending litigation unaffected.

Applies only to Henderson County. Conflicting laws repealed.

dred and twenty-five, and the certificate of the acknowledgment or privy examination of any grantor or grantors named in said instrument gives the name of the justice of the peace, notary public or other official purporting to take the same, though failing to show that such official signed his name to such certificate, but such certificate has been passed upon and adjudged correct by the clerk, deputy clerk, or assistant clerk of the Superior Court, who has ordered such instrument to be registered, it shall be conclusively presumed that such acknowledgment or privy examination was in fact duly taken; and all such deeds and other instruments are hereby validated and confirmed, to the same extent as if the signature of such official appeared on the record duly signed to such certificate: *Provided*, that this Act shall not affect pending litigation.

SEC. 2. That this Act shall apply only to Henderson County.

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 4. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 694

CHAPTER 294

AN ACT TO PROVIDE FOR BETTER PROTECTION OF MAPS, PLATS OR OTHER DRAWINGS TO BE FILED OR REGISTERED IN THE OFFICE OF THE REGISTER OF DEEDS FOR ROWAN COUNTY.

The General Assembly of North Carolina do enact:

Uniformity in size of maps, plats, etc., to be registered, Rowan County, provided for.

Dimensions prescribed.

Registration fees.

SECTION 1. That in order to preserve permanently and to have a uniform size for all maps, plats or other drawings of land required or desired to be registered or filed as a part of the records of the Register of Deeds Office for Rowan County, said maps, plats or other drawings, blue prints or photostatic prints, shall be prepared upon cloth or mounted upon cloth, to be furnished by the Register of Deeds of said county, and to be in size, eighteen inches wide, twenty-four inches long, the actual drawing not to be over twenty-two and one-half inches long by eighteen inches wide, so that a margin of one and one-half inches shall be left at the left side when said map, plat or other drawing is right side up, for the purpose of binding in a book.

SEC. 2. That the Register of Deeds shall collect a registration fee of not more than two dollars (\$2.00) for each sheet, for the filing or registration of such maps, plats, blue prints, or other drawings as provided in section one, said fee to provide for the cost of the sheet, or material upon which such map, plat or other drawing shall be made.

SEC. 3. That any map, plat or other drawing to be filed or registered, which cannot be drawn upon one sheet as provided in section one, may be drawn upon additional sheets as provided in section one, and numbered a, b, c, etc., the registration fee to be two dollars (\$2.00) per sheet.

Provision for additional sheets when necessary.

Fees fixed.

SEC. 4. That the Register of Deeds shall preserve said maps, plats or other drawings, in books to be made for that purpose, which books shall be kept as permanent records in his office; that worn or faded maps, plats or other drawings may be transcribed or reproduced on sheets as provided in section one.

Preservation as permanent records.

Reproduction of worn or faded maps, etc.

SEC. 5. The Register of Deeds shall not accept or be required to file or register any map, plat or other drawing unless it complies with sections one and three of this Act.

Compliance essential to registration.

SEC. 6. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 7. This Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 696

CHAPTER 295

AN ACT TO EXTEND THE TIME FOR FORECLOSURE OF TAX LIENS IN HYDE COUNTY AND TO EXTEND THE TIME FOR PAYMENT OF DELINQUENT TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. That time for foreclosure of tax sales certificates issued for delinquent taxes in Hyde County for years one thousand nine hundred and thirty-five and all years prior thereto, is hereby extended to the first day of January, one thousand nine hundred and forty, and within said time any suit for foreclosure of tax sales certificates issued for delinquent taxes due Hyde County may be foreclosed in the manner now provided by law. Payments of the said delinquent taxes shall be made in three equal installments, payable January, one thousand nine hundred and thirty-eight, January, one thousand nine hundred and thirty-nine, and January, one thousand nine hundred and forty.

Time for tax foreclosures for 1935 and prior taxes, Hyde County, extended.

Installment payments of delinquent taxes.

SEC. 2. The Board of Commissioners of Hyde County are hereby directed upon application of the taxpayer to extend the time for payment of delinquent taxes due Hyde County for the year one thousand nine hundred and thirty-four and prior years, *provided* the person owing such taxes shall by January first, one thousand nine hundred and thirty-eight, pay in full all taxes due by them for the year one thousand nine hundred and thirty-five. If such extension of time is made, the Board of Commissioners of Hyde County shall accept interest on said

Extension of time for payment 1934 and prior taxes.

Condition: payment of 1935 taxes by Jan. 1, 1938.

6% interest,
in lieu of other
interest and
penalties.

Foreclosure time
also extended.

Ch. 417, Public-
Local Laws, 1935,
as inconsistent
herewith, repealed.

Other conflicting
laws repealed.

taxes at the rate of six per cent per annum in lieu of all other interests and penalties prescribed by law in the event such extension of time is granted. In case the time for foreclosure of taxes is extended, the time for foreclosure of such tax liens is hereby extended for a period of two years beyond the date for which such extension of time of payment is made.

SEC. 3. Chapter four hundred and seventeen, Public-Local Laws of one thousand nine hundred and thirty-five, entitled "An Act to allow further time in which to bring tax foreclosure suits in Hyde County," in so far as inconsistent herewith is hereby repealed, and all other laws and parts of laws in conflict herewith are hereby repealed.

SEC. 4. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 698

CHAPTER 296

AN ACT TO AMEND CHAPTER EIGHTY-FOUR OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED TWENTY-FIVE AND ACTS AMENDATORY THERETO RELATING TO THE CHARTER OF THE TOWN OF GREENVILLE.

The General Assembly of North Carolina do enact:

Sec. 5, Ch. 84,
Private Laws, 1925,
amended.

SECTION 1. That section five of chapter eighty-four of the Private Laws of one thousand nine hundred twenty-five, be amended by striking out all of said section five beginning with the word and figures "Section 33" and inserting in lieu thereof the following:

Non-partisan election
of Aldermen and
Mayor, Town of
Greenville, pro-
vided for.

"Sec. 33. That for the purpose of selecting a mayor and members of the board of aldermen of said town, there shall be held on the first Monday in May of each year a non-partisan election, subject to the general rules and regulations governing the state primary for the selection of county candidates not inconsistent herewith; and that for said purpose, twenty days prior to any election held hereunder, the board of aldermen shall appoint the registrars and poll holders to hold the election and conduct the registration of voters as herein provided; that there shall be two voting places in said town, to-wit: electors residing in wards numbers one, two and three shall vote at the Pitt County Courthouse, and electors residing in wards numbers four and five shall vote at the town hall: *Provided, however,* the board of aldermen may in their discretion from time to time provide other voting places in said town as the need may arise, and may change the voting place of the electors of any ward; the poll holders shall assist the registrars in holding elections hereunder at their respective voting places; that the registra-

Appointment of
registrars, etc.

Two voting places.

Other voting places
may be provided.

Poll holders to
assist registrars.

tion books shall be kept open at some convenient place, or places within each voting district for ten consecutive days, Sunday excluded, next prior to any election, and shall close for registration at sundown on the Saturday next preceding the Monday on which the election is to be held, and for the purpose of keeping separate the registration of each ward of said town, the registrar or registrars shall provide and maintain a separate registration book for each ward of said town and numbered to correspond to said ward.

“That no person shall be allowed to register and vote in any election held hereunder unless he be a qualified voter under the laws of the state and a bona fide resident of two months duration of the ward in which he offers to vote, and that all such qualified voters shall be entitled to vote for the candidates for mayor and their ballots shall be deposited by the registrar and poll holders in one poll box upon which there shall be plainly marked the words ‘For Mayor’; but the candidates for aldermen from the respective wards shall be voted for only by the qualified voters of the respective wards as registered, as provided for, and their ballots shall be deposited in the respective poll box maintained for each ward and upon which shall be plainly marked the number of designation of the ward.

“That all candidates for mayor for the town shall register their candidacy with the clerk of said town at least ten days prior to the first Monday in May during each year in which a mayor is to be elected, and shall deposit with said clerk a registration fee of ten (\$10.00) dollars therefor; that all candidates for aldermen of said town shall register their candidacy, designating the ward from which the candidate offers himself with the clerk of said town at least five days prior to the first Monday in May in those years in which it is required that they shall respectively be elected, and shall deposit with the said town clerk the sum of one (\$1.00) dollar as a registration fee therefor, and that after the close of said time for the registration of said candidates, the clerk of said town shall proceed to have ballots printed upon which there shall appear on one ballot the names of all candidates for mayor, and on separate tickets or ballots the names of all candidates for aldermen in their respective wards, and said ballots shall contain sufficient explanatory matter to designate the purpose thereof; that returns of elections shall be made by the registrar and at least one poll holder from each polling place in writing to the board of aldermen who, in meeting assembled, shall declare the result and publish the same, and that no other election for the selection of said officials of said town shall be necessary, except in case where no candidate for an office receives a majority of the votes cast, in which event the candidate receiving the next highest number of votes cast may demand a second election by filing written notice of same with the clerk of said town within five days after the first Monday in May, or within five days after

Registration books kept open 10 days prior to election.

Separate books for each ward.

Registration qualifications.

All qualified voters entitled to vote for candidate for mayor.

One poll box for mayor votes.

Aldermen candidates voted for by voters of respective wards.

Poll box for each ward.

Registration by candidates for mayor.

Registration fee.

Registration by candidates for Aldermen.

Registration fee.

Candidates for mayor on one ballot.

Aldermen candidates on separate ballots.

Returns of elections.

Result declared.

Right to demand second election.

Time of second election.	any election held hereunder, whereupon the city clerk shall immediately call a second primary election which shall be held on the third Monday in May following the first election under the same rules and regulations governing the holding of the first election, but there shall be no registration of voters for the second election except such persons who have become qualified to vote since the registration books closed, may register and vote on the day of the second election: <i>Provided</i> , that no general or special law regulating municipal elections shall be applicable to the Town of Greenville, but that all elections hereunder shall be held and conducted according to the stipulations herein contained, and that all general and special elections called in said town for any other purpose shall also be held and conducted in accordance herewith and the general laws governing same not inconsistent herewith."
Regulations.	
No registration.	
Exception.	
General or special law regulating municipal elections inapplicable to Greenville.	
Conduct of other elections, general and special, provided for.	
Conflicting laws repealed.	SEC. 2. That all laws and clauses of laws inconsistent with this Act are hereby repealed.

SEC. 3. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 712

CHAPTER 297

AN ACT TO AMEND THE LAW RELATING TO THE RECORDER'S COURT FOR THE COUNTY OF UNION.

The General Assembly of North Carolina do enact:

Jury trials in Recorder's Court, Union County, abolished.	SECTION 1. The right to trial by jury in the Recorder's Court for the County of Union is hereby abolished.
Case transferred to Superior Court upon demand for jury trial.	SEC. 2. In all trials in the Recorder's Court for Union County, upon demand for a jury trial by either the defendant or the prosecuting attorney, the recorder shall transfer said cause for trial to the Superior Court of Union County, and the defendant thereupon shall be required to execute a new and justified bond in such amount as may be named by the recorder for defendant's appearance at the next term of the Superior Court of Union County for trial of criminal cases.
New bond required of defendant.	SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.
Conflicting laws repealed.	SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 787

CHAPTER 298

AN ACT TO VALIDATE THE METHOD OF LISTING TAXES USED BY THE TOWN OF CARRBORO IN TAKING THE LIST OF PROPERTY SITUATED WITHIN THE TOWN LIMITS FROM THE ABSTRACTS MADE FOR ORANGE COUNTY IN LIEU OF A SEPARATE LISTING WITH THE TOWN FOR THE YEARS ONE THOUSAND NINE HUNDRED TWENTY-SEVEN, ONE THOUSAND NINE HUNDRED TWENTY-EIGHT, ONE THOUSAND NINE HUNDRED TWENTY-NINE, ONE THOUSAND NINE HUNDRED THIRTY, ONE THOUSAND NINE HUNDRED THIRTY-ONE, ONE THOUSAND NINE HUNDRED THIRTY-TWO, ONE THOUSAND NINE HUNDRED THIRTY-THREE, ONE THOUSAND NINE HUNDRED THIRTY-FOUR, ONE THOUSAND NINE HUNDRED THIRTY-FIVE, AND ONE THOUSAND NINE HUNDRED THIRTY-SIX.

The General Assembly of North Carolina do enact:

SECTION 1. That all tax levies made by the town of Carrboro for the years one thousand nine hundred twenty-seven, one thousand nine hundred twenty-eight, one thousand nine hundred twenty-nine, one thousand nine hundred thirty, one thousand nine hundred thirty-one, one thousand nine hundred thirty-two, one thousand nine hundred thirty-three, one thousand nine hundred thirty-four, one thousand nine hundred thirty-five, and one thousand nine hundred thirty-six taken from the abstracts made for the County of Orange of all property situated within the city limits of the town of Carrboro in lieu of a separate listing of said property by the town, are hereby validated and shall have the same force and legal effect as if personally listed by each property owner with the list taker for the town.

Tax levies by Town of Carrboro, for 1927-1936, inclusive, validated.

SEC. 2. That this Act shall be in full force and effect upon its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D., 1937.

H. B. 719

CHAPTER 299

AN ACT, TO PERMIT THE TOWN OF HAMILTON LAKES, GUILFORD COUNTY, TO RECEIVE ITS BONDS OR BOND INTEREST COUPONS OR ANY OTHER ESTABLISHED INDEBTEDNESS IN PAYMENT OF CERTAIN DELINQUENT TAXES.

The General Assembly of North Carolina do enact:

Town of Hamilton Lakes empowered to authorize acceptance of Town Bonds, etc. in payment of 1935 and prior taxes.

May require bonds to be past due before acceptable.

Authority to fix credit value of bonds.

Limit on credit value fixed.

Town empowered to amend or repeal resolution exercising said authority.

Authority granted to continue.

Conflicting laws repealed.

SECTION 1. That the governing body of the Town of Hamilton Lakes is hereby enabled and empowered to authorize, direct and require, by resolution duly adopted and recorded upon its minutes, the tax collector of said town to receive bonds and/or bond interest coupons issued by said town, and/or any other established indebtedness against said town, in payment of taxes due the Town of Hamilton Lakes for the year one thousand nine hundred and thirty-five and/or any prior years, together with interest penalties and costs in connection with such taxes: *Provided*, said governing body may, by such resolution, require that no bond and/or no bond interest coupon or other debt shall be so received in payment before it is past due: *Provided further*, said resolution shall contain directions by which the credit value for such purpose of such bonds and/or bond interest coupons, and/or other debts, as shall be eligible to be so received in payment shall be fixed: *Provided further*, the credit value, directed by such resolution to be fixed for such purpose upon any bond or bond interest coupon or other debt, shall not exceed the amount of the obligation of said town thereon at the time it is to be so received in payment.

SEC. 2. That any resolution adopted in accordance with section one of this Act may be repealed or amended by the governing body of the Town of Hamilton Lakes at any time: *Provided*, the same shall as amended conform in all particulars to the requirements of section one of this Act: *Provided further*, when any such resolution shall be repealed, or its effectiveness otherwise terminated, the power and authority granted by this Act shall continue as fully as if no such resolution had been previously adopted.

SEC. 3. That all laws or clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 725

CHAPTER 300

AN ACT TO VALIDATE CERTAIN SALES OF LAND FOR TAXES AND CERTIFICATES ISSUED IN PURSUANCE THEREOF IN ROCKINGHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all sales of land for failure to pay taxes held or conducted by the Sheriff of Rockingham County or tax collector of any city, town or municipality therein during the years one thousand nine hundred thirty-five and one thousand nine hundred thirty-six, on any day subsequent to or other than the first Monday in June of said years; the same are hereby approved, confirmed, validated and declared to be proper and legal sales of said land and legally binding in all respects and as legally binding and as lawful as if made on the date prescribed by law for said sale, and all certificates of sale made and issued upon and in accordance with such sales, be and they are hereby approved and validated to all intents and purposes and with such force and legal effect as if said sales had been held and conducted on the first Monday in June, one thousand nine hundred thirty-five and one thousand nine hundred thirty-six.

SEC. 2. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

Delinquent tax sales in Rockingham County or municipality therein, held in 1935, 1936, validated.

Valid as if held on date prescribed by law.

Certificates of sale validated.

H. B. 726

CHAPTER 301

AN ACT TO AMEND CHAPTER TWO HUNDRED AND NINETY-EIGHT, PRIVATE LAWS OF NORTH CAROLINA, ONE THOUSAND NINE HUNDRED AND NINE, RELATING TO TIME FOR ASSUMING OFFICE BY TOWN OFFICIALS OF MADISON, ROCKINGHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section fourteen, chapter two hundred and ninety-eight, Private Laws of one thousand nine hundred and nine, be repealed and the following substituted in lieu thereof:

"Sec. 14. That the mayor shall be inducted into office on the first Monday in July, following the election, and before entering upon the duties of his office, shall, before the outgoing mayor or a justice of the peace, take the following oath: 'I....., do solemnly swear (or affirm) that I will diligently endeavor to perform, faithfully and truly, according to my best skill and ability, all the duties of the office of Mayor of the Town of Madison while I continue therein; and I will cause to be exe-

Sec. 14, Ch. 298, Private Laws, 1909, repealed.

Time fixed for inducting Mayor, Town of Madison, into office.

Oath.

cuted, as far as in my power lies, all the laws, ordinances and regulations made for the government of the town; and in the discharge of my duties I will do equal justice in all cases whatsoever’.”

Sec. 26, same law, amended, fixing time Mayor and Aldermen take office.

SEC. 2. That section twenty-six be amended by striking out the words “within five days” in line five and substituting in lieu thereof “on the first Monday in July,” so as to provide that the Mayor and Aldermen of the Town of Madison shall be inducted into office the first Monday in July after the election.

Present Mayor and Aldermen continued in office until first Monday, July, 1937.

SEC. 3. That the present Mayor, C. G. Moore, and the present Aldermen, R. E. Labberton, T. A. Burton, T. B. Knight, W. H. Gentry, R. M. Coolsby and Robert Moore, shall be and constitute the Mayor and Board of Aldermen of said Town of Madison until the first Monday in July, one thousand nine hundred and thirty-seven, or until their successors are elected and qualified.

Conflicting laws repealed.

SEC. 4. That all laws and clauses of laws in conflict with the foregoing Act are repealed.

SEC. 5. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 732

CHAPTER 302

AN ACT TO AMEND CHAPTER TWO HUNDRED EIGHTY-NINE, PUBLIC-LOCAL LAWS ONE THOUSAND NINE HUNDRED THIRTY-FIVE, RELATING TO THE SALARY OF THE REGISTER OF DEEDS OF ALEXANDER COUNTY.

The General Assembly of North Carolina do enact:

Ch. 289, Public-Local Laws, 1935, amended.

Salary, Register of Deeds, Alexander County, increased.

Conflicting laws repealed.

SECTION 1. That section one of chapter two hundred eighty-nine of the Public-Local Laws of one thousand nine hundred thirty-five be and the same is hereby amended by striking out the words “one thousand two hundred dollars” in line six of said section and inserting in lieu thereof the words “one thousand five hundred dollars.”

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 735

CHAPTER 303

AN ACT RELATIVE TO SALARY OF JUDGE AND SOLICITOR OF THE RECORDER'S COURT OF WARREN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Judge of the Recorder's Court of Warren County shall be paid out of the general fund of said county a salary of nine hundred (\$900.00) dollars a year, payable monthly; and that the solicitor of said court shall be paid out of the general fund a salary of nine hundred (\$900.00) dollars a year, payable monthly: *Provided*, that nothing herein contained shall prevent a voluntary agreement between said solicitor and the Board of County Commissioners as to a stated monthly salary for said solicitor in lieu of fees provided above.

Salary of Judge, Recorder's Court, Warren County.

Solicitor's salary.

SEC. 2. That if additional duties devolve upon the solicitor in respect to attendance upon the Superior Court, then he is to be compensated therefor in addition to the above salary.

Additional compensation for Solicitor for additional duties.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 736

CHAPTER 304

AN ACT TO AMEND CHAPTER TWO HUNDRED AND SIXTY-FOUR, PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND FIFTEEN, RELATING TO THE SALARY OF THE MAYOR OF THE TOWN OF HERTFORD.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter two hundred and sixty-four of the Private Laws of one thousand nine hundred and fifteen, be and the same is hereby amended by striking out all of section three and inserting in lieu thereof the following:

Ch. 264, Private Laws, 1915, amended.

"Sec. 3. That the Board of Commissioners of the Town of Hertford are hereby authorized and empowered to fix the salary of the mayor, which salary shall not exceed three hundred dollars (\$300.00) per annum."

Salary of Mayor, Town of Hertford.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 746

CHAPTER 305

AN ACT TO ESTABLISH THE OFFICE OF PUBLIC COTTON
WEIGHER FOR FARMVILLE TOWNSHIP, PITT COUNTY.

The General Assembly of North Carolina do enact:

Appointment of
Farmville Township
Cotton Weigher by
Commissioners,
Pitt County,
validated.

Vacancy and suc-
cessor appointments.

Cotton Weigher's
oath.

Duties.

Compensation.

Commissioners
authorized to dis-
miss Cotton Weigher
for abuse of trust.

Appointment of
deputies authorized.

Misdemeanor to
have cotton sold
in Farmville Town-
ship weighed by
person other than
public weigher.

Tag on ticket fur-
nished by cotton
weigher.

SECTION 1. That the action of the Board of County Commissioners of Pitt County in appointing a public cotton weigher for Farmville Township, Pitt County, at their regular meeting held on the seventh day of September one thousand nine hundred and thirty-six, is hereby validated and they are authorized to fill any vacancies in said office by appointment for the unexpired term, and to make appointments at the expiration of every two year term.

SEC. 2. That said public cotton weigher shall take and subscribe to the following oath before the Clerk of the Superior Court of Pitt County, viz; "I..... do solemnly swear that I will faithfully perform the duties of public cotton weigher and I will take no interest as a dealer, near or remote, in buying or selling any cotton in Farmville Township, Pitt County."

SEC. 3. That it shall be the duty of said public cotton weigher to weigh all baled cotton sold in Farmville Township, Pitt County, at its true weights, making just and proper deductions for water and damage, and shall receive as compensation for his services, fifteen cents per bale, one-half to be paid by the seller and one-half by the buyer.

SEC. 4. That the Commissioners of Pitt County shall have full power and authority to dismiss from office any public cotton weigher, upon satisfactory proof that any such public cotton weigher has wilfully or corruptly abused the trust or power of his office.

SEC. 5. That the public cotton weigher shall have authority to appoint a deputy or deputies to assist him in the discharge of his office, such appointment to be subject to the approval of the Commissioners of Pitt County.

SEC. 6. That if any person, firm or corporation, other than the public cotton weigher or his deputies shall weigh or cause to be weighed, any baled cotton sold in Farmville Township, Pitt County, such person, firm or corporation, shall be guilty of a misdemeanor and upon conviction shall, for each offense, be fined not exceeding twenty-five dollars (\$25.00), or imprisoned, in the discretion of the court.

SEC. 7. That it shall be the duty of said public cotton weigher to furnish a ticket or tag showing the gin number, gin weight, and the weigher's weight.

SEC. 8. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 747

CHAPTER 306

AN ACT TO AMEND CHAPTER FIFTY-ONE, PRIVATE LAWS, EXTRA SESSION OF ONE THOUSAND NINE HUNDRED AND THIRTEEN, AND TO AMEND CHAPTER ONE HUNDRED AND THIRTY-FIVE, PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-THREE, AND TO AUTHORIZE AND EMPOWER THE BOARD OF COMMISSIONERS OF THE TOWN OF ROWLAND TO EXTEND TIME OF PAYMENT OF STREET AND SIDEWALK ASSESSMENTS, AND TO FIX THE STATUTE OF LIMITATIONS.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of the Town of Rowland is hereby authorized and empowered, in its discretion by resolution duly adopted and recorded to extend the time of payment of street, sidewalk or other assessments against property in the Town of Rowland, whether said assessments were made and levied pursuant to or under the authority of chapter fifty-one, Private Laws, Extra Session of one thousand nine hundred thirteen, the Municipal Finance Act, as amended, or any other law, whether general, special or private, relating to special assessments for a period of not exceeding ten years from and after March first, one thousand nine hundred thirty-seven. The total balance due at the end of the original assessment period or any previous extension thereof, plus all accrued interest thereon at the rate of six per cent per annum shall be and represent the amount the time for payment of which is to be extended, may become payable in equal installments over the period during which the board of commissioners may extend the time of payment under the authority of this Act, with interest thereon at the rate of not exceeding six per cent per annum on the amount of such extension: *Provided, however,* that no statute of limitation, whether fixed by chapter fifty-one, Private Laws, Extra Session of one thousand nine hundred thirteen, chapter one hundred thirty-five, Private Laws, session of one thousand nine hundred thirty-three, the Municipal Finance Act, as amended, or any other law either general, special, or private, shall bar the right of the Town of Rowland to enforce any remedy provided by law for the collection of unpaid assessments made under the authority of any law, either general, special or private, save from and after two years from the date of the ratification of this Act: *Provided, further,* that, in the event the present owner or owners of property against which an assessment has been made comply with the condition or conditions precedent adopted by the board of commissioners under authority of section two hereof, no statute of limitation, whether fixed by chapter fifty-one, Private Laws, Extra Session of one thousand nine hundred thirteen, chapter one hundred thirty-five, Private Laws, session of one thousand nine hundred thirty-

Commissioners,
Town of Rowland,
authorized to
extend time for
paying assessments.

Extension not to
exceed 10 years
from March 1,
1937.

Equal installments.

Interest.

No statute to bar
Town's remedy to
collect assessments,
except after two
years from date of
this Act.

Where time ex-
tended, no remedy
barred except after
10 years from de-
fault in installment.

Foreclosure action
authorized upon
default in any
installment.

Board may require
execution of notes.

Existing liens un-
affected.

Nonsuit in fore-
closure suits pend-
ing.

Conflicting laws
repealed.

three, the Municipal Finance Act, as amended, or any other law, shall bar the right of the Town of Rowland to enforce any remedy provided by any law for the collection of unpaid assessments made under the authority of any law, save from and after ten years from default in the payment of any installment: *Provided, further*, that an action for foreclosure of unpaid assessments may be instituted at any time, by the Town of Rowland, after default is made in the payment of any installment under the original assessment or any renewal thereof, and upon failure to pay any installment when due, and the Town of Rowland elects to bring foreclosure suit, then all subsequent assessments due on particular property shall become due and shall be included in said suit for foreclosure of unpaid assessments.

SEC. 2. That the Board of Commissioners of said Town of Rowland in any resolution extending time of payment of assessments may, in its discretion, require as a condition precedent to any extension of time of payment the execution of notes or renewal notes by the present owner or owners of the property: *Provided, however*, that no lien or indebtedness held by, or due to, the Town of Rowland by reason of said street and/or sidewalk assessments shall be released or invalidated by any act of the board of commissioners in extending the time of payment thereof under authority of this Act: *Provided, further*, that any suit heretofore instituted to foreclose any note or lien by reason of any paving assessment may be nonsuited upon the defendants complying with requirements set out by the board of commissioners as conditions precedent for an extension of time of payment.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 749

CHAPTER 307

AN ACT RELATING TO DELINQUENT TAXES IN ALEXANDER COUNTY.

The General Assembly of North Carolina do enact:

County Accountant,
Alexander County,
to collect delinquent
taxes.

Commissions allowed
for collection.

SECTION 1. That the Clerk of the Court of Alexander County, the Register of Deeds, and the Sheriff or other county officer of said county having in his hands any delinquent taxes, tax sales certificates, and/or foreclosure judgments for delinquent taxes shall on or before the first day of July, one thousand nine hundred and thirty-seven, and annually thereafter, turn over said delinquent taxes, tax sales certificates and/or judgments to the County Accountant for collection. The said County As-

countant shall be allowed a commission of five per cent (5%) on all delinquent taxes collected by him.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws
repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 750

CHAPTER 308

AN ACT TO AUTHORIZE THE TOWN OF BREVARD TO PURCHASE, OWN AND OPERATE A GOLF COURSE.

The General Assembly of North Carolina do enact:

SECTION 1. That the Town of Brevard is hereby authorized and empowered to purchase, own and operate a golf course either within or without the corporate limits of said town.

Town of Brevard
authorized to own
and operate golf
course.

SEC. 2. That the Town of Brevard is hereby authorized and empowered to prescribe rules and regulations for the operation and maintenance of any golf course purchased by said town, and to fix the charges to be made to the public for the use of said golf course.

Power to prescribe
regulations.

To fix charges.

SEC. 3. That any lands owned by the Town of Brevard and operated for golf course purposes shall be under the police jurisdiction of said town, whether within or without its corporate limits.

Police jurisdiction
of Town extended
over golf course.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws
repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 751

CHAPTER 309

AN ACT TO REPEAL CHAPTER FOUR, PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-FIVE, AND PROVIDING FOR THE ACCEPTANCE BY THE TAX COLLECTOR OF THE TOWN OF BREVARD OF BONDS, NOTES AND MATURED INTEREST COUPONS OF SAID TOWN IN PAYMENT OF DEBT SERVICE PORTION OF TAXES FOR THE YEARS ONE THOUSAND NINE HUNDRED THIRTY-SIX, ONE THOUSAND NINE HUNDRED THIRTY-FIVE, ONE THOUSAND NINE HUNDRED THIRTY-FOUR, ONE THOUSAND NINE HUNDRED THIRTY-THREE, AND IN FULL PAYMENT OF TAXES FOR THE YEAR ONE THOUSAND NINE HUNDRED THIRTY-TWO AND YEARS PRIOR THERETO AND SPECIAL ASSESSMENTS.

The General Assembly of North Carolina do enact:

Ch. 4, Private
Laws, 1935,
repealed.

SECTION 1. That chapter four, Private Laws of one thousand nine hundred thirty-five be, and the same is hereby repealed.

Acceptance of Town
Bonds, etc. in pay-
ment of debt service
part of 1933-36
taxes, Town of
Brevard, authorized.

SEC. 2. That the Tax Collector and Treasurer of the Town of Brevard may accept until September fifteenth, one thousand nine hundred thirty-seven, in payment of the debt service portion of taxes for the years one thousand nine hundred thirty-six, one thousand nine hundred thirty-five, one thousand nine hundred thirty-four and one thousand nine hundred thirty-three, any bond or bonds of said town due or to become due in the current fiscal year at par value and any matured interest coupon or coupons of said town at twenty-five percent of par value: *Provided*, that the governing body of said town may at any time prior to September fifteenth, one thousand nine hundred thirty-seven, prohibit the said tax collector and treasurer from accepting bonds or coupons for the debt service portion of taxes for said years. That after September fifteenth, one thousand nine hundred thirty-seven, taxes for the years one thousand nine hundred thirty-six, one thousand nine hundred thirty-five, one thousand nine hundred thirty-four and one thousand nine hundred thirty-three and subsequent years shall be required to be paid in full in cash.

Bonds at par value.

Interest coupons
accepted at 25%
par.

Authority to pro-
hibit acceptance of
bonds for said taxes.

Taxes payable
in cash after Sept.
15, 1937.

Acceptance of Town
Bonds, etc. for
1932 and prior
taxes, authorized.

Bonds at par.

Coupons at 25%
par.

Where foreclosure
suit begun, costs
to be paid in cash.

SEC. 3. That the Tax Collector and Treasurer of the Town of Brevard shall accept in full payment of taxes levied for the year one thousand nine hundred thirty-two and years prior thereto any bond or bonds of said town at par value and matured interest coupon or coupons of said town at twenty-five per cent of par value: *Provided*, that if foreclosure suit shall have been started on any tax sale certificate issued for taxes levied for the year one thousand nine hundred thirty-two and years prior thereto all costs incurred in said suit and charged against the taxpayer shall be required to be paid in cash.

SEC. 4. That the Tax Collector and Treasurer of the Town of Brevard shall accept in full payment of special assessments and accrued interest thereon any bond or bonds of said town at par value and matured interest coupon or coupons of said town at twenty-five per cent of par value: *Provided*, that if foreclosure suit shall have been started on any certificate of sale issued for any installment of such special assessment all costs incurred in said suit shall be required to be paid in cash.

SEC. 5. That the Tax Collector and Treasurer of the Town of Brevard shall be allowed full credit in his settlement with said town for all bonds and interest coupons received by him in payment of taxes or special assessments in accordance with the provisions of this Act.

SEC. 6. That all laws or clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 7. That this Act shall be in full force and effect from and after April first, one thousand nine hundred thirty-seven.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

Acceptance of Town Bonds, etc. in payment of assessments, authorized.

Bonds at par.

Coupons at 25% par.

Where foreclosure suit begun, costs to be paid in cash.

Tax Collector and Treasurer to receive credit for bonds and coupons accepted.

Conflicting laws repealed.

Effective date.

H. B. 752

CHAPTER 310

AN ACT TO GIVE TO THE BOARD OF COMMISSIONERS OF SURRY COUNTY POWER AND AUTHORITY TO PROVIDE FOR THE KEEPING, FEEDING AND CARE OF PRISONERS IN THE COMMON JAIL OF SURRY COUNTY AND TO EMPLOY A KEEPER THEREFOR.

Whereas, the Board of Commissioners of Surry County consider and deem it most economical and at the same time as efficient that the Board of Commissioners shall have immediate charge and control of the common jail of Surry County, employing a keeper of the jail, and the Board of Commissioners themselves, or itself, providing the food and other necessities for the inmates of said jail and the prisoners there being, thus being enabled to use surpluses of grain, meats and other foods from the county farm; *Now, Therefore*,

The General Assembly of North Carolina do enact:

SECTION 1. That so far as it affects Surry County, section three thousand nine hundred forty-four of the Consolidated Statutes is hereby repealed as to its relation to and effect upon the County of Surry.

SEC. 2. That the Board of Commissioners of Surry County are authorized and empowered to employ at such salary as said Board of Commissioners may fix, a competent person to keep the jail of Surry County and to attend to the care, feeding, restraining and keeping the prisoners in the said common jail

Preamble: Advisable for Commissioners, Surry County, to have immediate control of common jail.

C. S. Sec. 3944, repealed as it affects Surry County.

Commissioners, Surry County, authorized to employ keeper of jail.

To be employee of Board.

Salary.

Foods and other necessities for prisoners to be furnished by Commissioners.

Powers and duties of jail keeper.

All purchases to be authorized by Commissioners.

Jail keeper may be made deputy sheriff.

Residence.

Provision for home to be considered in fixing salary.

Effective date.

of said county. That said keeper shall be the employee and agent of the Board of Commissioners of Surry County, shall receive such salary as said Board of Commissioners shall fix for his personal services in keeping the said jail, and attending to the prisoners therein. That the Board of Commissioners of Surry County shall furnish all foods and other things necessary to the care, restraint and the keeping of the prisoners therein, and through their agents and persons designated so to do, to furnish from the county farm such surpluses of food products as may be available, and shall purchase all necessary food and supplies required in the keeping of the prisoners in said jail.

SEC. 3. That the said keeper so appointed by the Board of Commissioners shall be responsible for the diligent and faithful restraint and keeping of said prisoners in said jail in the same manner as is required of the sheriff or his jail keeper and to the end that said keeper of the jail may have full authority to restrain the prisoners therein and to prevent escapes and to arrest any person escaping from said jail, the said keeper is invested with all the power and authority concerning prisoners in the said jail as are now provided for and required of the sheriff or any person heretofore designated by him and appointed as jail keeper.

SEC. 4. That the salary or amount paid by the Board of Commissioners to the keeper of said jail shall be for his personal services and he shall be permitted and allowed to make only such purchases as are authorized by the Board of Commissioners or the Purchasing Agent of Surry County for the purposes and requirements of said jail and the prisoners therein.

SEC. 5. That it shall be competent and allowable, with the approval of the Board of Commissioners, that the person so appointed by them as keeper of the jail may be by the Sheriff of Surry County made and constituted a deputy sheriff of said county.

SEC. 6. That in arranging the salary to be paid the appointed and designated keeper of said jail, the said Board of Commissioners shall require that he live in that portion of the jail building provided for the keeper thereof, and the Board of Commissioners is authorized and empowered to furnish that portion of said jail for the home of said keeper as may be by the said Board of Commissioners designated, and shall take into consideration in the fixing of the salary of said keeper the fact that a home is furnished for said keeper and his family.

SEC. 7. That this Act shall be in force and effect from and after December first, one thousand nine hundred thirty-seven.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 753

CHAPTER 311

AN ACT TO PROVIDE AN ALL-TIME OFFICE DEPUTY
FOR THE SHERIFF OF SURRY COUNTY.*The General Assembly of North Carolina do enact:*

SECTION 1. That the Sheriff of Surry County is hereby authorized to employ some discreet and competent person as a full-time deputy sheriff, at a salary of not exceeding twelve hundred (\$1200.00) dollars per annum, to be paid by the County of Surry. That said deputy sheriff shall receive no other emoluments or salary except that fixed and agreed upon. The said deputy sheriff shall occupy the office of deputy sheriff for the purpose of aiding and performing all things necessary in the keeping of records, receipting for process, the making of reports and the clerical work to be done and required of the Sheriff of Surry County; but said deputy sheriff shall be clothed with all the power and authority in the service of process, the making of arrests, the execution and return of all process lawfully issued to the Sheriff of Surry County, as by law now permitted, and to do and perform such acts as deputy sheriff as are lawful, but shall receive no fees therefor, such fees to be applied as by law provided as to the sheriff of said county.

Full-time deputy
sheriff, Surry
County, authorized.

Salary.

Duties.

Powers.

Application of fees
received.

Effective date.

SEC. 2. That this Act shall be in full force and effect from and after the first day of April, one thousand nine hundred thirty-seven.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 756

CHAPTER 312

AN ACT TO PROHIBIT THE SALE OF FIREWORKS IN
YADKIN COUNTY.*The General Assembly of North Carolina do enact:*

SECTION 1. That it shall be unlawful for any person, firm, or corporation to sell or offer for sale, shoot, fire, discharge, display, or otherwise use or have possession of, any firecrackers, torpedoes, cap pistols, sky-rockets, Roman candles or other articles commonly known as fireworks in the County of Yadkin.

Sale, use, etc. of
fireworks, Yadkin
County, prohibited.

SEC. 2. That for the purposes of enforcing the provisions of this Act, the sheriffs of the several counties and the chiefs of police in all municipalities within the state are hereby empowered and authorized to issue permits for use in connection with the conduct of public exhibitions, such as fairs, carnivals, shows of all descriptions and public celebrations, but only after satisfactory evidence is produced to the effect that said pyrotechnics will be used for the aforementioned purposes and none

Sheriffs and police
officers authorized
to issue permits for
public exhibitions.

Application for permit.

other. Any person desiring to secure a permit as aforementioned shall make application to the sheriff of the particular county in which said pyrotechnics are to be used or to the chief of police of the municipality in which said pyrotechnics are to be used.

Violation made misdemeanor.

SEC. 3. That any person violating the provisions of this Act shall be punished with a fine not exceeding fifty dollars (\$50.00) or imprisoned not to exceed thirty days.

Applicable to Yadkin County only.

SEC. 4. That this Act shall apply only to Yadkin County.

Conflicting laws repealed.

SEC. 5. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 6. That this Act shall be in full force and effect from the date of its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 760

CHAPTER 313

AN ACT TO INCREASE THE PER DIEM COMPENSATION OF THE COUNTY COMMISSIONERS OF GATES COUNTY FROM THREE DOLLARS (\$3.00) TO FOUR DOLLARS (\$4.00).

The General Assembly of North Carolina do enact:

Per diem compensation of Commissioners, Gates County, increased.

SECTION 1. That the per diem of the members of the Board of Commissioners of Gates County, be and it is hereby increased from three dollars (\$3.00) to four dollars (\$4.00). In addition thereto, the members of said board shall receive a mileage allowance of five cents (\$.05) per mile traveled in the discharge of their duties.

Mileage allowance extra.

Conflicting laws repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 761

CHAPTER 314

AN ACT VALIDATING CERTAIN ACTS OF THE BOARD OF COMMISSIONERS OF AVERY COUNTY.

The General Assembly of North Carolina do enact:

Contract between Commissioners of Avery County, and H. E. Daniels, validated.

SECTION 1. That the contract dated the twelfth day of November, one thousand nine hundred and thirty-six and executed by the Board of Commissioners of Avery County and H. E. Daniels, be, and the same is hereby in all respects validated and ratified.

SEC. 2. That the Board of Commissioners of Avery County is hereby authorized and empowered in its discretion to pay the tax collector additional compensation for transportation, and stenographic and clerical hire.

Commissioners, Avery County, authorized to pay tax collector extra compensation.

SEC. 3. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 4. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 763

CHAPTER 315

AN ACT FIXING THE SALARY OF THE CLERK OF THE GENERAL COUNTY COURT OF ALAMANCE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. The Clerk of the Superior Court of Alamance County, who is also Ex Officio Clerk of the General County Court of Alamance County, shall be allowed and paid a salary of fifty (\$50.00) dollars per month for his services as Clerk of the General County Court of Alamance County; that this salary shall be in addition to the salary and all fees now paid the Clerk of the Superior Court of Alamance County.

C. S. C., Alamance County, allowed salary as Clerk, General County Court.

In addition to salary and fees now paid.

SEC. 2. The salary herein fixed for the Clerk of the General County Court of Alamance County shall be paid at the same time and from the same funds that the salary of the Clerk of the Superior Court is paid, and the said salary shall begin with the first day of the month next succeeding the ratification of this Act.

Regulations for payment.

Effective date.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 767

CHAPTER 316

AN ACT TO REGULATE THE HUNTING OF FOXES IN WAYNE COUNTY IN CONFORMITY WITH THE PROVISIONS AS SET FORTH IN THE NORTH CAROLINA GAME LAW.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful to take or hunt foxes in Wayne County from March first to July thirty-first of each year except in the protection of domestic fowl or livestock.

Fox hunting, Wayne County, March 1 to July 31, unlawful.

Exception.

Use of shotguns.

SEC. 2. That shotguns or rifles may be used in the taking of fox in Wayne County only during the open season on other game birds or animals except in the protection of domestic fowl or livestock.

Violation made
misdemeanor.

SEC. 3. That any person violating any of the provisions of this Act shall be guilty of a misdemeanor and upon conviction shall be fined not more than fifty dollars (\$50.00) or imprisoned not more than thirty days.

Conflicting laws
repealed.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 771

CHAPTER 317

AN ACT TO REGULATE THE GRAND JURY OF HALIFAX COUNTY.

The General Assembly of North Carolina do enact:

Selection of Grand
Jurors, Halifax
County.

SECTION 1. That at the first term of court for the trial of criminal cases in Halifax County after the first day of July, one thousand nine hundred and thirty-seven, there shall be chosen a grand jury as now provided by law, and the first nine members of said grand jury chosen at said term shall serve for a term of one year, and the second nine members of said grand jury so chosen shall serve for a term of six months, and thereafter at the first term of criminal court after the first days of January and July of each year there shall be chosen nine members of said grand jury to serve for a term of one year.

Staggered terms.

Conflicting laws
repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 809

CHAPTER 318

AN ACT TO PROVIDE FOR THE DISTRIBUTION OF PROFITS FROM THE OPERATION OF LIQUOR STORES IN MECKLENBURG COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. In the event liquor stores are operated in Mecklenburg County, the treasurer of said county shall, at the end

of each quarterly period after an accounting has been received by him from the County Board of Alcoholic Control, pay over to the Treasurer of the City of Charlotte one-half of the profits received by the county from the operation of liquor store or stores within the corporate limits of the said City of Charlotte. The County of Mecklenburg shall retain all profits derived from liquor stores operated outside the corporate limits of the City of Charlotte.

Distribution of profits from operation of A. B. C. Stores, Mecklenburg County.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby specifically repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 842 CHAPTER 319

AN ACT TO INCREASE THE TERMS OF OFFICE OF THE REGISTER OF DEEDS, COUNTY AUDITOR AND COUNTY TREASURER OF JOHNSTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That at the next election to be held in Johnston County for the election of county officers, and quadrennially thereafter, there shall be elected a Register of Deeds, an Auditor and a Treasurer for the County of Johnston, who shall take office on the first Monday in December next following their election and serve for a period of four years or until their successors are elected and qualified.

Register of Deeds, Auditor and Treasurer, Johnston County, to be elected for 4 year terms.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

S. B. 238 CHAPTER 320

AN ACT TO APPOINT TRUSTEES OF THE TRYON-SALUDA ADMINISTRATIVE SCHOOL UNIT.

The General Assembly of North Carolina do enact:

SECTION 1. That J. N. Jackson, Junior, James Lankford, and Douglas Blois of Tryon and A. M. Salley and H. G. Laughter of Saluda, North Carolina be, and they are hereby appointed

Appointment of trustees, Tryon-Saluda City Administrative School Unit.

Term of office.

Vacancy
appointments.

Trustees subject
to provisions of
State Act.

Conflicting laws
repealed.

trustees of the Tryon-Saluda City Administrative School Unit for a term of two years from the date of the expiration of the term of office of the present trustees of said School District or until their successors are appointed and qualified. Any vacancy occurring in said Board of Trustees during said term shall be filled by the State School Commission or its successors in office. The trustees herein appointed shall be subject to the provisions of the State School Administrative Act governing such trustees.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 321

CHAPTER 321

AN ACT TO VALIDATE CERTAIN ACTS OF J. M. WAGGONER AS A NOTARY PUBLIC.

Preamble: J. M. Waggoner of Rowan County, commissioned a Notary Public, March 2, 1935.

Failed to take oath and qualify until Feb. 5, 1937.

Performed acts as Notary Public before qualifying.

Acts of J. M. Waggoner as Notary Public before qualification validated.

Not to affect pending litigation.

Whereas, J. M. Waggoner of Rowan County, Salisbury, North Carolina, was duly commissioned a notary public on the second day of March, one thousand nine hundred and thirty-five; and

Whereas, the said J. M. Waggoner inadvertently failed to take the oath and qualify before the clerk of the court of said county as provided by law until the fifth day of February, one thousand nine hundred and thirty-seven, and did, during the period from March second, one thousand nine hundred and thirty-five up to February fifth, one thousand nine hundred and thirty-seven, take acknowledgments and performed certain other acts as a notary public without having taken the oath and qualified as aforesaid; *Now, therefore*,

The General Assembly of North Carolina do enact:

SECTION 1. That all acknowledgments and other acts of the said J. M. Waggoner as a notary public from March second, one thousand nine hundred and thirty-five up to and including February fifth, one thousand nine hundred and thirty-seven, be, and the same are hereby validated: *Provided*, that this Act shall not affect pending litigation.

SEC. 2. This Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 27th day of February, A.D. 1937.

S. B. 187

CHAPTER 322

AN ACT TO AMEND CHAPTER ONE HUNDRED AND NINETY-SEVEN, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-ONE RELATING TO THE RECORDER'S COURT OF WAKE FOREST.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and ninety-seven of the Public-Local Laws of one thousand nine hundred and thirty-one be and the same is hereby amended by striking out all of section two of said Act and inserting in lieu thereof the following:

"Sec. 2. That the salary of the Recorder shall be six hundred dollars (\$600.00) per annum and the salary of the Prosecuting Attorney shall be six hundred dollars (\$600.00) per annum, each of said salaries payable monthly by the municipality of Wake Forest. That the Clerk of the Recorder's Court of Wake Forest may be paid not to exceed fifty dollars (\$50.00) per month."

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 3. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

Ch. 197, Public-Local Laws, 1931, amended.

Salaries of Recorder and Prosecuting Attorney of Wake Forest Recorder's Court, fixed.

Limitation Clerk's salary.

Conflicting laws repealed.

S. B. 223

CHAPTER 323

AN ACT VALIDATING TITLE OF SINKING FUND COMMISSION OF WILSON TOWNSHIP, WILSON COUNTY, TO REAL PROPERTY PURCHASED BY SAID COMMISSION THROUGH FORECLOSURES OF MORTGAGES HELD BY IT AND VALIDATING THE ACTION OF SAID COMMISSION IN PURCHASING AND SELLING PROPERTY NOW HELD BY SAID COMMISSION AND FURTHER GRANTING AUTHORITY TO SELL OR MORTGAGE REAL PROPERTY OF SAID COMMISSION.

Whereas, pursuant to chapter nine hundred and twenty-two of the Public Laws of one thousand nine hundred and seven, as amended by chapter one hundred and fifteen of Public-Local Laws of one thousand nine hundred and twenty-one, there was created a Sinking Fund Commission of Wilson Township, Wilson County, North Carolina; and

Whereas, said Sinking Fund Commission invested the funds of said commission in interest bearing notes or bonds secured by mortgages or deeds of trust conveying real estate as security for the payment of said notes or bonds some of which mortgages or deeds of trust have been foreclosed; and, *whereas*, under said foreclosures the said Sinking Fund Commission pur-

Preamble: Sinking Fund Commission of Wilson Township created.

Funds of Commission invested in mortgages, etc., some of which foreclosed.

Purchases and sales of property made by Commission.

chased certain real estate, and deeds for said property have been made to said Sinking Fund Commission; and, whereas, certain persons have acquired title to said property sold under said foreclosures, either through purchasing at said foreclosure sales or by purchasing from said Sinking Fund Commission; and

Commission not empowered to purchase or convey real estate.

Whereas, no power or authority to sell and convey real estate or purchase or accept title to real estate was vested in said Sinking Fund Commission; *Now, Therefore*,

The General Assembly of North Carolina do enact:

Title to property, held now or heretofore by Sinking Fund Commission, Wilson County, validated.

SECTION 1. That the title to all real property now held or heretofore held by the Sinking Fund Commission of Wilson Township, in Wilson County be and the same is hereby validated, and the said title of said commission and of all persons holding title under it and of all persons who purchased property at foreclosure sales under mortgages or deeds of trust held by said Sinking Fund Commission are hereby declared to be as valid as if said Sinking Fund Commission had been fully authorized to lend its money upon the security of mortgages and deeds of trust and to purchase property at such foreclosure sales and to hold title to and sell said property thus acquired; and all acts of said Sinking Fund Commission pertaining to the investments of its funds in notes secured by mortgages or deeds of trust conveying real estate and pertaining to the purchase and sale of real estate acquired by said Sinking Fund Commission through foreclosure of said mortgages, or otherwise, be and the same are hereby validated.

Title to property purchased at foreclosure sales or from Commission, validated.

Acts of Commission pertaining to mortgage investments, purchase and sale of property, validated.

Commission authorized to sell and convey real estate acquired.

SEC. 2. That said Sinking Fund Commission is hereby empowered and authorized to sell and convey by deed any and all real estate it now owns or has previously acquired or hereafter acquires by purchase at foreclosure sales, or otherwise, and is further empowered and authorized to foreclose any mortgages or deeds of trust which it now holds as security for money loaned as evidenced by notes or bonds executed to it and to purchase said real estate conveyed by said mortgages, if said Sinking Fund Commission deems it necessary or advisable and to sell and convey said real estate as hereinbefore provided.

Authorized to foreclose mortgages, etc.; to purchase property at sale; to sell and convey.

Authorized to borrow money; to mortgage real estate owned.

SEC. 3. That said Sinking Fund Commission upon authority of the Board of County Commissioners is hereby empowered and authorized in its discretion to borrow money on or before January first, one thousand nine hundred and thirty-eight, and to secure the payment of said money thus borrowed by mortgaging any and all of the real estate to which it now holds title or to which it may hereafter acquire title, *provided*, notes or bonds issued in connection with money borrowed pursuant to this action shall be made to mature not later than January first, one thousand nine hundred and forty, and, *provided further*, that money borrowed pursuant to this Act shall be used for the sole and exclusive purpose of paying the principal of outstanding bonds of Wilson Township issued for road purposes and matur-

Maturity date of notes or bonds.

Money borrowed to be used to pay road bonds, Wilson Township.

ing on January first, one thousand nine hundred and thirty-eight.

SEC. 4. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws
repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

S. B. 233

CHAPTER 324

AN ACT TO AMEND CHAPTER THREE HUNDRED TWENTY-FIVE, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-THREE, THE SAME BEING "AN ACT TO FIX AND REGULATE THE COURT COST AND WITNESS FEES IN THE RECORDER'S COURT OF IREDELL COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter three hundred twenty-five, of the Public-Local Laws of one thousand nine hundred thirty-three, ratified April thirteenth, be, and the same is hereby repealed and a new section enacted in lieu thereof, to read as follows:

Sec. 1, Ch. 325,
Public-Local Laws,
1933, repealed.

New section
substituted.

"Section 1. That in every criminal case tried in the Recorder's Court of Iredell County there shall be taxed by the clerk of the court as part of the costs to be paid by the defendant, when convicted, the sum of two (\$2.00) dollars for the court cost; the sum of four (\$4.00) dollars for the Solicitor's fee; the sum of four (\$4.00) dollars for the Recorder's fee, all of which when paid shall go into the treasury of Iredell County as now provided by law: *Provided, however,* that in all cases in which the Recorder's Court of Iredell County has concurrent jurisdiction with the court of the Justice of Peace or with the Mayor's court of the City of Statesville, the sum of two (\$2.00) dollars shall be taxed for court cost, the sum of one (\$1.00) dollar for the Solicitor's fee, the sum of one (\$1.00) dollar for the Recorder's fee."

Costs in criminal
cases, Recorder's
Court, Iredell
County.

Costs in cases where
Recorder's Court
has concurrent juris-
diction with J. P.
or Mayor's Court
of Statesville.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws
repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

S. B. 259

CHAPTER 325

AN ACT TO CREATE THE OFFICE OF COLLECTOR OF REVENUE OF MECKLENBURG COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Office of Collector of Revenue, Mecklenburg County, created.

Duties.

Powers.

SECTION 1. That the office of Collector of Revenue of Mecklenburg County is hereby created for the purpose of collecting all taxes of every kind due the County of Mecklenburg, and upon said office is imposed all of the duties and conferred all of the powers now vested in the office of Treasurer-Tax Collector of Mecklenburg County by virtue of chapter two hundred seventy-six of the Public-Local Laws of one thousand nine hundred thirty-three as same relates to the collection of taxes in Mecklenburg County.

Appointment of Collector of Revenue.

Tenure of office.

SEC. 2. That on or before the first Monday of April, one thousand nine hundred thirty-seven, the Board of County Commissioners of Mecklenburg County shall elect a Collector of Revenue who shall serve at the will of the Board of County Commissioners.

Authorized to collect all taxes and assessments.

SEC. 3. That the said Collector of Revenue shall collect all taxes and special assessments levied by the Board of County Commissioners of Mecklenburg County and the Mecklenburg Drainage Commission that are now due or may hereafter become due. The said Collector of Revenue shall also collect all license taxes, due or to become due, the county for which business, trades, and professions conducted within the limits of the county may be liable.

Bond required.

Condition of bond.

Payment of premiums by County.

Salary.

Clerical assistance, etc. provided for.

Applies to Mecklenburg County only.

Conflicting laws repealed.

SEC. 4. That said Collector of Revenue shall furnish a good and sufficient bond in such sum as may be designated by the Board of County Commissioners, not less, however, than fifty thousand (\$50,000.00) dollars, for the faithful and diligent performance of his duties and for the true and proper accounting of all moneys received by him by virtue of his office, or coming into his possession in connection therewith. The premiums on said bond to be paid by the county from the general fund.

SEC. 5. That said Collector of Revenue shall be paid such salary as the Board of County Commissioners may determine, not to exceed two hundred (\$200.00) dollars per month. The Collector of Revenue shall recommend to the Board of County Commissioners all assistants, clerks, or other help that may be necessary for the proper conduct of the business of his office, to be approved by the Board of County Commissioners. The Board of County Commissioners is to determine the number of assistants, clerks, or other help necessary in said office, and to determine the compensation that each shall receive.

SEC. 6. That this Act shall apply only to Mecklenburg County, North Carolina.

SEC. 7. That all laws or clauses of laws which are in conflict with this Act are hereby repealed.

SEC. 8. That this Act shall be in full force and effect from and after the first Monday of April, one thousand nine hundred thirty-seven. Effective date.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

S. B. 279

CHAPTER 326

AN ACT TO PROVIDE FOR THE PAYMENT OF SALARIES AND EXPENSES OF THE SHERIFF'S OFFICE OF VANCE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Vance County are authorized and empowered to pay all of the salaries and expenses of the Sheriff of Vance County and his deputies, as now allowed or provided by law, or any part thereof from the general fund of Vance County, the number of deputies to be approved by the Board of Commissioners of Vance County. Vance County Commissioners authorized to pay salaries and expenses of Sheriff's office from general fund.

SEC. 2. That the part of the provisions and laws applicable to Vance County limiting the payment of the expenses of the sheriff's office to the fees and commissions of said office are hereby repealed. Laws limiting payment of expenses, sheriff's office, to fees, etc., repealed.

SEC. 3. That all fees and commissions received by the Sheriff of Vance County and his deputies shall be applied, paid over and accounted for as the Board of County Commissioners of Vance County may direct. Accounting for fees and commissions collected.

SEC. 4. That upon a finding by the Board of County Commissioners of Vance County that an emergency exists or that it is necessary for the enforcement of law, said Board of Commissioners may in their discretion provide for additional deputy sheriffs and pay their compensation out of the general fund. In emergencies, Commissioners authorized to provide extra deputies.

SEC. 5. That all laws and clauses of laws in conflict with this Act are hereby repealed. Conflicting laws repealed.

SEC. 6. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

S. B. 288

CHAPTER 327

AN ACT TO AMEND CHAPTER FIVE HUNDRED AND TWENTY OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND FIFTEEN RELATING TO APPEALS FROM THE FORSYTH COUNTY COURT TO THE SUPERIOR COURT OF FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

Sec. 6 (a), Ch. 520, Public-Local Laws, 1915, as amended by Ch. 18, Public-Local Laws, 1925, repealed.

New section substituted.

Appeals from Forsyth County Court to Superior Court.

Heard on record proper and case on appeal.

No briefs unless requested by Judge.

Time of docketing appeal.

Powers of Superior Court upon appeal.

Conflicting laws repealed.

SECTION 1. That section six (a) of chapter five hundred and twenty of the Public-Local Laws of one thousand nine hundred and fifteen, as amended by chapter eighteen of the Public-Local Laws of one thousand nine hundred and twenty-five, be and the same is hereby repealed and the following is substituted in lieu thereof:

"Section 6 (a). Appeals from the Forsyth County Court to the Superior Court of Forsyth County shall be governed by the laws regulating appeals from the Superior Courts to the Supreme Court of North Carolina: *Provided*, that the appeals shall be heard in the Superior Court upon the court papers and the typewritten case on appeal as agreed upon by counsel or as settled by the Judge of the Forsyth County Court: *Provided further*, that no briefs shall be required unless requested by the Judge of the Superior Court of Forsyth County: *And provided further*, that appeals from the Forsyth County Court need not be docketed in the Superior Court until that civil term of Superior Court next succeeding the time when the case on appeal is agreed upon by counsel, or when the time for filing counter-case or exceptions has expired without the same having been filed, or when the case on appeal has been settled by the judge and filed with the Clerk of the Forsyth County Court, whose duty it shall be to docket the same in the Superior Court for filing: *And provided further*, that upon appeal from the Forsyth County Court, the Superior Court may either affirm, modify and affirm the judgment of the Forsyth County Court, or remand the cause to the Forsyth County Court for a new trial."

SEC. 2. That all laws and clauses of laws in conflict are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

S. B. 302

CHAPTER 328

AN ACT TO AMEND CHAPTER SIX HUNDRED AND NINETY-NINE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-SEVEN ENTITLED "AN ACT TO AMEND CHAPTER FIVE HUNDRED AND SIXTY-NINE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTEEN, RELATIVE TO ADDING CIVIL JURISDICTION TO THE HIGH POINT MUNICIPAL COURT," AND ALL ACTS AMENDATORY THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter six hundred and ninety-nine of the Public-Local Laws of one thousand nine hundred and twenty-seven be amended by striking out lines two and three of section three of said chapter and by inserting in lieu thereof the following: "thereof. The salary of said Judge of the Municipal Court shall be six thousand dollars per year, payable in."

Ch. 699, Public-Local Laws, 1927, amended.

Salary of Judge, High Point Municipal Court.

SEC. 2. That chapter three hundred and forty-eight of the Public-Local Laws of one thousand nine hundred and twenty-seven be amended by striking out line eight of section one of said chapter and by inserting in lieu thereof the following: "and twenty-seven, shall be two hundred and twenty-five dollars per month, to."

Ch. 348, Public-Local Laws, 1927, amended, increasing Clerk's salary.

SEC. 3. That chapter one hundred and seventy of the Private Laws of one thousand nine hundred and twenty-nine be and the same is hereby amended by striking out lines seventeen and eighteen of section two of said chapter and by inserting in lieu thereof the following: "of the judge. The salary of such assistant clerk shall be two hundred dollars per month for such."

Ch. 179, Private Laws, 1929, amended.

Salary of Assistant Clerk increased.

SEC. 4. That section two of chapter one hundred and thirty-two of the Private Laws of one thousand nine hundred and thirty-three be amended by striking out all the words in said section two appearing after the semi-colon in line twenty-eight of said section, and by changing the said semi-colon in line twenty-eight of said section two to a period.

Ch. 132, Private Laws, 1933, amended, striking out provision for remanding certain civil cases to Superior Court for trial.

SEC. 5. That the salary of the Prosecuting Attorney of the Municipal Court of the City of High Point shall be two hundred and twenty-five dollars per month.

Salary of Prosecuting Attorney.

SEC. 6. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 7. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

S. B. 322

CHAPTER 329

AN ACT TO AMEND SECTION THREE, CHAPTER THREE HUNDRED AND FORTY-FOUR, OF THE PRIVATE LAWS OF NORTH CAROLINA, SESSION ONE THOUSAND NINE HUNDRED AND SEVEN, RELATING TO THE CHARTER OF THE CITY OF CONCORD.

The General Assembly of North Carolina do enact:

Ch. 344,
Private Laws, 1907,
amended, enlarging
terms of mayor and
aldermen, City of
Concord, to 4 years.

Conflicting laws
repealed.

SECTION 1. That the word "two" in line nine, section three, chapter three hundred and forty-four, Private Laws of North Carolina, session one thousand nine hundred and seven, be changed to "four."

SEC. 2. That all laws in conflict with this amendment are hereby repealed.

SEC. 3. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

S. B. 328

CHAPTER 330

AN ACT RELATING TO THE SALARIES OF THE RECORDER, PROSECUTING ATTORNEY AND CLERK OF RECORDER'S COURT OF THE CITY OF MONROE, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Commissioners,
Union County, and
Aldermen, City of
Monroe, authorized
to fix salaries of
Monroe Recorder's
Court officials.

Salary limitations.

Effective date.

Salaries payable
monthly, half by
City, half by
County.

Conflicting laws
repealed.

SECTION 1. That on or before the first day of July, one thousand nine hundred and thirty-seven, the Board of County Commissioners of Union County, North Carolina, and the Board of Aldermen of the City of Monroe, North Carolina, shall fix the salaries of the Recorder, the Prosecuting Attorney in the Recorder's Court and the Clerk to the Recorder's Court of the City of Monroe, North Carolina, in such amount as they shall agree not in excess of twelve hundred and fifty (\$1,250.00) dollars annually for the Recorder, twelve hundred and fifty (\$1,250.00) dollars annually for the Prosecuting Attorney and three hundred and fifty (\$350.00) dollars annually for the Clerk of Recorder's Court of the City of Monroe, such salaries to become effective July first, one thousand nine hundred and thirty-seven.

SEC. 2. That all such salaries shall be paid monthly, one half of each to be paid by the City of Monroe, and the remaining half by the County of Union, and by the treasurers thereof respectively.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. This Act shall be in force and effect from and after July first, one thousand nine hundred and thirty-seven. Effective date.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

S. B. 329

CHAPTER 331

AN ACT TO AMEND CHAPTER EIGHTY-TWO OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-ONE RELATING TO THE SALARY OF THE COUNTY ACCOUNTANT OF UNION COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter eighty-two of the Public-Local Laws of one thousand nine hundred and thirty-one be amended by striking out in line two of section three the words "not more than eighteen hundred (\$1,800.00) dollars" and inserting in lieu thereof the words "two thousand (\$2,000.00) dollars."

Ch. 82,
Public-Local Laws,
1931, amended.

Salary of County
Accountant, Union
County, increased.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws
repealed.

SEC. 3. That this Act shall be in full force and effect from and after July first, one thousand nine hundred and thirty-seven.

Effective date.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

S. B. 351

CHAPTER 332

AN ACT RELATING TO EXTENSION OF TIME FOR PAYMENT OF SPECIAL ASSESSMENTS LEVIED BY THE TOWN OF MAXTON.

The General Assembly of North Carolina do enact:

SECTION 1. That the time for payment of all special assessments including street and sidewalk assessments, or instalments of special assessments heretofore levied by the Town of Maxton for local improvements, together with all or any part of the interest accrued thereon, may be extended by resolution of the Board of Commissioners of said town adopted before July first, one thousand nine hundred and thirty-seven, upon such terms and conditions as may be prescribed by such resolution, so that such special assessments, instalments and interest shall become due and payable in not more than ten annual instalments, payable on October first of each year beginning with the year one thousand nine hundred and thirty-seven, and the rate of interest both for interest already accrued and interest hereafter to accrue on such assessments or instalments may be reduced at

Extension of time
of payment of
special assessments,
Town of Maxton,
authorized.

Terms and conditions
prescribed by
Commissioners.

Instalment pay-
ments provided for.

Reduction of interest rate authorized.	the time of and by the resolution under which the time is extended, such rate however not to be less than four per cent per annum: <i>Provided, however,</i> that such extension shall not prevent the payment of any assessment or interest at any time and, <i>provided,</i> that all assessments shall be extended without any discrimination in favor of or against any property.
Discriminations prohibited.	
Lien of assessments continued in force for 15 years from maturity or last payment.	SEC. 2. That the lien of all assessments for street and other local improvements shall continue, be and remain a first and valid lien against the property abutting such improvements and such liens shall remain in force to the extent of the unpaid balance thereof for a period of fifteen years after maturity thereof and for fifteen years after the last payment of principal or interest thereon.
Upon default, all unpaid instalments due immediately.	SEC. 3. That, upon such extension, if any assessment lien instalment or the interest thereon is not paid when the same comes due, then all of the unpaid assessment lien instalments of that particular assessment lien shall become immediately due and payable and may be foreclosed as provided by law for the foreclosure of mortgage liens.
Foreclosure	SEC. 4. That the Board of Commissioners of said Town of Maxton in any resolution extending time of payment of assessments may in its discretion require as a condition precedent to any such extension of time of payment, the execution of renewal notes by the present owner, and/or owners of the property: <i>Provided, however,</i> that no lien held by the town shall be released or invalidated by any act of the Board of Commissioners in extending the time of payment thereof under authority of this Act.
Town Commissioners authorized to require renewal notes.	SEC. 5. That all laws or parts of laws in conflict with this Act are hereby repealed.
Existing liens unaffected.	SEC. 6. That this Act shall be in force from and after its ratification.
Conflicting laws repealed.	In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 200

CHAPTER 333

AN ACT TO AMEND CHAPTER FORTY, PRIVATE LAWS,
ONE THOUSAND NINE HUNDRED FIVE, RELATING TO
THE TIME FOR HOLDING ELECTIONS IN TABOR CITY.

The General Assembly of North Carolina do enact:

Ch. 40,
Private Laws, 1905,
amended.

SECTION 1. That section six of chapter forty of the Private Laws of one thousand nine hundred five, be and the same is hereby amended to read as follows:

Biennial election
of Mayor and
Commissioners,
Tabor City.

"Sec. 6. An election shall be held in said town on the second Tuesday in June, one thousand nine hundred thirty-seven, and biennially thereafter, for a mayor and three commissioners, under the laws of North Carolina regulating elections in cities

and towns. The term of the officers of said town shall begin on the first day of July next following their election.” Beginning of terms.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed. Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 222

CHAPTER 334

AN ACT TO REPEAL CHAPTER TWO HUNDRED TWENTY-EIGHT, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED SEVENTEEN, AND TO ABOLISH THE FISCAL AGENT OF YADKIN COUNTY AND PROVIDING FOR DEPOSITORIES IN LIEU THEREOF AND TO CONSOLIDATE THE OFFICES OF COUNTY ACCOUNTANT AND TAX SUPERVISOR IN YADKIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred twenty-eight of the Public-Local Laws of one thousand nine hundred seventeen, the same being an Act entitled, “An Act to abolish the office of County Treasurer of Yadkin County,” and all amendments thereto, be, and the same are hereby repealed.

Ch. 228, Public-Local Laws, 1917, repealed.

SEC. 2. That the Bank of Yadkin in Yadkinville, the Commercial and Savings Bank in Booneville and the Yadkin Valley Bank in East Bend, be, and they are hereby designated as official depositories of Yadkin County, but while any one of said banks acts as such depository it shall be required to furnish security, as now required by law, for the protection of deposits of said county, and if all of said banks shall fail to so furnish security, then, the Board of County Commissioners is hereby authorized and directed to designate any bank or trust company organized under the laws of the United States of America or under the laws of any state therein as official depository of said county so long as said bank or trust company shall secure deposits of said county in the manner required by law.

Official bank depositories, Yadkin County, designated.

Banks required to furnish security.

Designation of other depository authorized if banks named fail to furnish security.

SEC. 3. Every official and/or employee of said County of Yadkin whose duty it is to collect or receive any funds or money belonging to the county or subdivisions thereof shall daily deposit the same in such depository or depositories as the county accountant may direct, in the name of the county and of the fund to which it is to be applied, and shall immediately furnish the county accountant a duplicate deposit receipt therefor. All money which no officer or employee is now authorized by law to receive for the county or subdivision thereof shall be received

Daily deposits by County officials.

Duplicate deposit receipt furnished County Accountant.

Funds received by County Accountant.

by the county accountant and he shall immediately deposit the same in the manner herein prescribed.

Books, records, etc.
of fiscal agent,
Yadkin County,
delivered to County
Accountant.

SEC. 4. That all books, records, securities, funds and accounts now kept by the fiscal agent of Yadkin County, as such fiscal agent, shall be turned over to the county accountant within thirty days from and after the ratification of this Act.

County Accountant
designated as tax
supervisor.

SEC. 5. That the County Accountant of Yadkin County, be, and he is hereby designated as tax supervisor of said county, whose salary as county accountant and tax supervisor shall be twelve hundred dollars (\$1,200.00) per year, payable in equal monthly installments out of the general fund of the county.

Salary.

Appointment of
N. B. Casstevens as
County Accountant,
authorized.

SEC. 6. That the Board of County Commissioners, be, and they are hereby authorized and empowered to appoint N. B. Casstevens as County Accountant and Tax Supervisor of Yadkin County for a term of office expiring on the first Monday in December, one thousand nine hundred and thirty-eight. Any vacancy occurring in the office of county accountant and tax supervisor shall be filled by appointment by the Board of County Commissioners which appointee shall hold office at the will of said board, or until his successor is duly appointed and qualified.

Term.

Vacancy
appointment.

Tenure of office.

SEC. 7. The county accountant before entering upon the duties of his office, and for the faithful performance of such duties and for proper accounting for all moneys, passing through his hands, shall furnish bond in some surety company authorized to transact business in the State of North Carolina in the penal sum of not less than twenty thousand (\$20,000.00) dollar bond to be paid for by county. Such bond may be increased or strengthened at any time in the discretion of the Board of County Commissioners.

Bond.

Conflicting laws
repealed.

SEC. 8. That all laws and clauses of laws in conflict with the provisions of this Act shall be and the same are hereby repealed.

SEC. 9. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 228

CHAPTER 335

AN ACT TO DIVIDE WARREN COUNTY INTO FIVE DISTRICTS FOR NOMINATION OF MEMBERS OF THE BOARD OF EDUCATION AND THE BOARD OF COUNTY COMMISSIONERS, AND TO FIX THE COMPENSATION OF THE MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF WARREN COUNTY.

The General Assembly of North Carolina do enact:

Warren County
divided into districts.

SECTION 1. That for the purpose of the nomination of members of the Board of County Commissioners and Board of Edu-

cation of Warren County, the said county is hereby divided into the following five districts: one—Warrenton Township; two—River, Roanoke, and Six Pound Townships; three—Nutmash, Smith Creek, and Hawtree Townships; four—Sandy Creek, Shocco, and Fork Townships; five—Fishing Creek and Judkins Townships.

Districts designated.

SEC. 2. That in all primaries for nomination of members of said boards, the voters of the entire county shall nominate one candidate for membership on each of said boards from each district; the candidate in each district receiving the largest number of votes shall be declared the nominee of that district. In all elections for the regular election of members of said boards, the candidates so nominated shall be voted upon by the voters of the entire county. In case of any vacancy occurring in the membership of either of said boards, the vacancy shall be filled by appointment of some qualified person who resides in the district from which the vacancy occurred.

Nomination of candidates for Boards of Commissioners and Education.

Elected by voters of entire county.

Vacancy appointments.

SEC. 3. That each of the said boards shall elect its own chairman.

Election of chairman.

SEC. 4. That the members of the Board of County Commissioners of Warren County shall receive, from the general fund of said county, as full compensation for their services, the sum of five (\$5.00) dollars each for each day necessarily spent on county business, plus five cents (5c) per mile necessarily traveled in going to and from the place where such business is transacted. In addition, the chairman of said board shall receive, from the general fund of said county, the sum of twelve (\$12.50) dollars and fifty cents each month. The board shall not receive said per diem allowance for more than three days in any one month: *Provided*, that this shall not be construed to apply to meetings in which said board is sitting as County Board of Equalization and Review, and said commissioners shall receive the regular per diem allowance and travel expense, as provided above, for all days necessarily spent in performing the work of the Board of Equalization and Review.

Per diem compensation for County Commissioners.

Mileage allowance extra.

Additional compensation for chairman.

Limitation on compensation.

SEC. 5. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Regular per diem allowance and travel expense when sitting as Board of Equalization.

Conflicting laws repealed.

SEC. 6. That this Act shall be in full force and effect, in so far as section four is concerned, from and after its ratification; and sections one, two, and three shall become effective beginning with the primaries for the nomination of members of the Boards of Commissioners and Education to be held in the year one thousand nine hundred and thirty-eight.

Effective date.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 517

CHAPTER 336

AN ACT TO FIX THE VALUATION OF SILVER FOXES GROWN FOR COMMERCIAL PURPOSES IN AVERY COUNTY.

The General Assembly of North Carolina do enact:

Limitation on tax values, silver foxes grown for commercial purposes, Avery County.

SECTION 1. That silver foxes grown for commercial purposes in Avery County shall not be assessed at a higher price per fox than twenty-five (\$25.00) dollars. That pup foxes shall not be subject to taxation until they are one year old.

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

Conflicting laws repealed.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 535

CHAPTER 337

AN ACT TO VALIDATE THE CREATION OF THE ARCHDALE-TRINITY SANITARY DISTRICT IN RANDOLPH AND GUILFORD COUNTIES AND TO PROVIDE A BOARD OF COMMISSIONERS THEREFOR.

The General Assembly of North Carolina do enact:

Establishment of Archdale-Trinity Sanitary District, Randolph and Guilford Counties, validated.

SECTION 1. The establishment and creation of the Archdale-Trinity Sanitary District, the purposes of which are to construct, maintain and operate a water and sewer system therein, located in Randolph and Guilford Counties and bounded and described as follows:

District boundaries described.

"Beginning at a point in the South corporate line of the City of High Point 230 feet Northeast from the center of North Carolina Highway No. 77, by a line of that length drawn from said point to and at right angles to said highway; thence in a general southeastern direction, a line, so drawn as to be 230 feet Northeast, at every point, from the center of said highway, approximately 3680 feet to a point, 230 feet from the center of North Carolina Highway No. 610, by a line of that length drawn from said terminus at right angles to said Highway No. 610; thence in a general eastern direction, a line, so drawn as to be 230 feet North, at every point, from the center of said Highway No. 610, approximately 6,850 feet to a point 100 feet East of the present dwelling house of James Weaver; thence South at right angles to and across said Highway No. 610, a distance of 460 feet to a point on the South side of said Highway No. 610; thence in a general western direction, a line, so drawn as to be 230 feet South, at every point, from the center of said Highway No.

610, approximately 6,850 feet to a point, 230 feet from the center of North Carolina Highway No. 77, by a line of that length drawn from said terminus and at right angles to said Highway No. 77; thence in a general Southeastern direction, a line, so drawn as to be 230 feet Northeast, at every point, from the center of said Highway No. 77, approximately 3,000 feet to a point in the Guilford County and Randolph County line; thence in an Eastern direction with said county line 650 feet to a point; thence in a general southeastern direction approximately 5,000 feet to a point 230 feet in a general northeastern direction from the center of said Highway No. 77, by a line drawn across said Highway No. 77 and at right angles thereto, 100 feet Southeast of the present residence of L. L. Swain; thence, with said right angle line and across said Highway No. 77, 460 feet to a point on the Southwestern side of said Highway No. 77; thence in a Western direction, a line, approximately 4,250 feet to a point 230 feet West of the center of the Bouldin Road in the town of Archdale, which line crosses said road 100 feet South of the present dwelling house of Ike Farlowe; thence in a general northern direction, a line, so drawn as to be 230 feet West, at every point, from the center of said road, approximately 2,125 feet to a point, 230 feet from the center of the North Carolina Highway No. 61, by a line of that length drawn from said terminus and at right angles to said Highway No. 61; thence in a general Southwestern direction, a line, so drawn as to be 230 feet Southeast, at every point, from the center of said Highway No. 61, across the High Point, Randleman, Asheboro, & Southern Railway and through the town of Trinity, approximately 8,750 feet to a point 100 feet Southwest of the J. S. White residence, located on the Southeast side of said Highway No. 61; thence in a Northwestern direction at right angles to and across the said Highway No. 61, 460 feet to a point; thence in a general Northwestern direction, a line, approximately 3,875 feet to a point in the center of the High Point, Randleman, Asheboro, & Southern Railway, which point is 1,000 feet Northwest and with said railway from the intersection point of said center of said railway with the center of said Highway No. 61; thence in a Southeastern direction with said center of said railway, approximately 750 feet to a point 230 feet from the center of said Highway No. 61, by a line drawn at right angles to said Highway No. 61; thence in a general Northeastern direction, a line, so drawn as to be 230 feet Northwest, at every point, from the center of said Highway No. 61, approximately 4,000 feet to a point, 230 feet West of and by a line drawn at right angles to the Bouldin Road; thence in a general northeastern direction, a line, along the West side of said Bouldin Road and said Highway No. 77, so drawn as to be 230 feet West at every point, from the center of said Bouldin Road and/or said Highway No. 77, approximately 8,000 feet to a point in the South corporate line of the City of High Point, at a point 230 feet

West of and by a line at right angles to said Highway No. 77; thence in an Eastern direction with said corporate line, approximately 560 feet to the point of beginning," is hereby in all respects validated.

Commissioners of said district appointed by Commissioners of Randolph and Guilford Counties, re-appointed.

Term of office.

Powers, functions and duties.

Conflicting laws repealed.

SEC. 2. The Board of Commissioners of said district viz., George B. Craven, Chairman; Mrs. R. P. Royer, Secretary; and Joseph T. Weaver, heretofore appointed by the Boards of Commissioners of Randolph and Guilford Counties, in a joint session, to serve until their successors are elected and qualified, are hereby reappointed as such officers and commissioners for a term ending with the first Monday in December, one thousand nine hundred and forty, and until their successors are elected and qualified, and they shall exercise all the powers and functions and discharge all the duties vested in and imposed on like boards by chapter one hundred of Public Laws of one thousand nine hundred and twenty-seven, and all Acts amendatory thereof and other laws applicable to similar districts.

SEC. 3. All laws and clauses of laws in conflict herewith are hereby repealed.

SEC. 4. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 594

CHAPTER 338

AN ACT TO AMEND CHAPTER EIGHTY-ONE, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-FIVE, RELATING TO THE BONDED INDEBTEDNESS AND RELIEF OF TAXPAYERS IN SWAIN COUNTY AND THE TOWN OF BRYSON CITY.

The General Assembly of North Carolina do enact:

Sec. 1, Ch. 81, Public-Local Laws, 1935, amended.

Levy of taxes, Swain County and Bryson City, on ability-to-pay basis, authorized for 1937, 1938, 1939.

Maximum rate.

Higher rate unlawful.

SECTION 1. That chapter eighty-one of the Public-Local Laws of one thousand nine hundred thirty-five, be, and the same is hereby amended by striking out all of section one after the word "thirty-six" in line six of said section and inserting in lieu thereof the following: "one thousand nine hundred thirty-seven, one thousand nine hundred thirty-eight, and one thousand nine hundred thirty-nine, and if necessary, extend said levies to the succeeding years as in their opinion the taxpayers of the said county and town are able to pay and retain their real estate and homes, said tax rate not to exceed one dollar and sixty cents (\$1.60) on one hundred dollars (\$100.00) worth of property, levied and collected for all purposes, which is hereby declared to be the maximum rate to be levied in any one tax year and it shall be unlawful to exceed the levying and collecting of taxes in any amount in excess of the above rate and any and all amounts levied for any

purpose which shall exceed the above rate of one dollar and sixty cents (\$1.60) per hundred, is hereby declared null and void."

SEC. 2. That chapter eighty-one of the Public-Local Laws of one thousand nine hundred thirty-five, be, and the same is hereby amended by inserting in section three, line eleven, of said section, after the word "thirty-seven" and before the word "as" the following: "one thousand nine hundred thirty-eight, one thousand nine hundred thirty-nine, and one thousand nine hundred forty."

Sec. 3, Ch. 81, Public-Local Laws, 1935, amended.

Funds collected in 1938-39-40 authorized for adjustment of outstanding bonds.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 617

CHAPTER 339

AN ACT TO DEFER THE QUADRENNIAL ASSESSMENT AND VALUATION OF PROPERTY IN WAYNE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Wayne County, the Supervisor of Taxation, the Township Boards, and List Takers and Assessors, and all other officials charged with any duties in connection with the quadrennial assessment and valuation of property, as provided for in the Machinery Act of one thousand nine hundred thirty-seven, be and they are hereby authorized, empowered, and directed to discontinue and defer the performance of any duties imposed upon them with respect to the quadrennial assessment and valuation of property, as provided for in said Machinery Act of one thousand nine hundred and thirty-seven.

Officials of Wayne County directed to defer quadrennial assessment of property.

SEC. 2. That the said quadrennial assessment and valuation of property for the County of Wayne is hereby postponed and deferred until the regular listing time in the year one thousand nine hundred thirty-eight, at which time the said quadrennial assessment and valuation of property for the County of Wayne shall be done under the procedure and provisions of the Machinery Act of one thousand nine hundred thirty-seven, which is hereby made applicable to such revaluation and assessment so deferred. *Provided, however,* that at any time prior to the time for the said valuation and assessment the Commissioners of the County of Wayne, upon facts which they shall find warranting the same for the best interests of the county, are hereby authorized and within their discretion directed to further postpone the

Postponed until regular listing time, 1938.

Application of 1937 Machinery Act.

Commissioners, Wayne County, authorized to postpone assessment further until 1939.

said revaluation until the regular listing time in one thousand nine hundred thirty-nine.

Conflicting laws
repealed.

SEC. 3. All laws and clauses of laws in conflict herewith are hereby repealed.

SEC. 4. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 619

CHAPTER 340

AN ACT TO ALLOW THE BOARD OF COMMISSIONERS OF WAYNE COUNTY TO TURN INTO THE GENERAL FUND THE PROCEEDS FROM THE TAX SUITS AND FORECLOSURE SALES OF LAND FOR THE YEARS ONE THOUSAND NINE HUNDRED AND TWENTY-NINE AND ONE THOUSAND NINE HUNDRED AND THIRTY AND PRIOR YEARS.

The General Assembly of North Carolina do enact:

Ch. 5, Public-Local
Laws, 1933,
amended.

SECTION 1. That chapter five of the Public-Local Laws of one thousand nine hundred and thirty-three be, and the same is hereby amended by inserting immediately after section eleven the following new section:

Funds from tax
sales, 1930 and
prior years, Wayne
County, payable to
general fund.

“Sec. 11½. That in the discretion of the Board of Commissioners of Wayne County all proceeds from tax suits and foreclosure sales of land for taxes in Wayne County for one thousand nine hundred and twenty-nine and for one thousand nine hundred and thirty and prior years may be turned into the General Fund.”

Conflicting laws
repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in force and effect from and after the date of its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 628

CHAPTER 341

AN ACT TO VALIDATE CERTAIN BONDS OF THE TOWN OF SELMA AND AUTHORIZE THE ISSUANCE OF RE-FUNDING AND FUNDING BONDS OF SAID TOWN.

The General Assembly of North Carolina do enact:

Bonds issued for
necessary expenses,
Town of Selma,
validated.

SECTION 1. There are hereby validated and declared to be the valid and binding obligations of the Town of Selma the follow-

ing bonds of said town, all of which were issued to secure funds for necessary expenses of said town:

\$7,000 5½% Municipal Building Bonds, dated January 1, 1916. Bonds enumerated.

\$14,000 6% Sewer Bonds, dated July 1, 1919.

\$40,000 6% Sewer Bonds, dated July 1, 1921.

\$16,000 6% Street Improvement Bonds, dated April 1, 1922.

\$9,000 6% Sidewalk Bonds, dated April 1, 1923.

\$33,000 6% Street and Sewer Bonds, dated July 1, 1926.

\$74,000 5½% Street and Sewer Bonds, dated June 1, 1927.

SEC. 2. The governing body of the Town of Selma is hereby authorized and empowered to issue in the name of the Town of Selma, at one time or from time to time, in accordance with the provisions of the Municipal Finance Act, as amended, and the Local Government Act, as amended, negotiable bonds of the town for the purpose of refunding and funding all or any part of the principal of said bonds, and the interest which shall accrue thereon to the date of the bonds issued to fund the same. Refunding and funding bonds authorized.

SEC. 3. The powers granted by this Act are granted in addition to and not in substitution for existing powers of said town. Powers granted by Act declared additional.

SEC. 4. This Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 638

CHAPTER 342

AN ACT TO AMEND SECTION SIX, CHAPTER FOUR HUNDRED, OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-ONE, RELATIVE TO LIMIT OF TAX RATE OF THE TOWN OF CAROLINA BEACH.

The General Assembly of North Carolina do enact:

SECTION 1. That section six, chapter four hundred of the Public-Local Laws of one thousand nine hundred and thirty-one, be and the same is hereby amended by striking out in line seven the words and figures "one dollar (\$1.00)" and inserting in lieu thereof the following, "one dollar and forty cents (\$1.40)." Ch. 400, Public-Local Laws, 1931, amended, fixing maximum tax rate, Town of Carolina Beach.

SEC. 2. That in all Acts of the General Assembly of North Carolina, relating to the Town of Carolina Beach, where the words "Board of Commissioners, Commissioner, or Commissioners" appear, the same shall be construed to mean the "Board of Aldermen, Alderman, or Aldermen." "Board of Commissioners" changed to "Board of Aldermen."

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed. Conflicting laws repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 658

CHAPTER 343

AN ACT FOR THE RELIEF OF TAXPAYERS OF BURKE COUNTY.

The General Assembly of North Carolina do enact:

Exhaustion of taxpayer's personal property required before sale of real property resorted to, Burke County.

SECTION 1. That no property shall be sold or advertised for sale for delinquent taxes in Burke County until all personal property of the taxpayer which may be found in the county, with the exception of household goods, has been levied on and sold for the satisfaction of such taxes and no tax sales certificates shall be accepted by the board of commissioners or auditor in settlement with the sheriff, until the personal property of each such delinquent tax payer has first been exhausted.

Commissioners, Burke County, directed to cancel penalties against delinquent taxpayers.

SEC. 2. That the Board of County Commissioners of Burke County, be and they are hereby authorized, empowered and directed to cancel all penalties heretofore charged against any delinquent taxpayer and that from and after the ratification of this Act no penalties shall be charged for the nonpayment of taxes, in said county.

Penalties abolished.

Conflicting laws repealed.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 683

CHAPTER 344

AN ACT TO SIMPLIFY THE REASSESSMENT OF PROPERTY IN ORANGE COUNTY IN THE YEAR ONE THOUSAND NINE HUNDRED THIRTY-SEVEN.

The General Assembly of North Carolina do enact:

Appointment of Orange County Board of Assessors, authorized.

SECTION 1. That the Board of Commissioners of Orange County at its regular meeting on the first Monday in April, one thousand nine hundred thirty-seven, may appoint three discreet freeholders in said county, each of whom shall have been a resident freeholder in said county for not less than twelve months, and who shall be known and designated as the County Board of Assessors. They shall serve for such time and shall receive such compensation for their services while actually employed as the Board of County Commissioners shall designate, not exceeding seven (\$7.00) dollars per day. The Board of County Commissioners may also provide reasonable clerical assistance and travel allowance to the Board of Assessors hereby created. It shall be the duty of said Board of Assessors to review the tax lists of Orange County, making such increases or

Tenure of office.

Compensation.

Clerical assistance, travelling expenses.

Duty to equalize tax assessments.

deductions in the assessed value of property, as will give a uniform rate of taxation between the various townships within said county as well as giving equality of taxation to property owners within the same township. This board of three assessors shall be in addition to the list-takers appointed by the County Supervisor of Taxation for each township, and shall assess all real and personal property according to its true value in money; shall have authority to personally visit, inspect and view any property, real or personal, which is to be assessed, and shall make diligent inquiry as to its value; shall have authority to subpoena and examine under oath witnesses who may have knowledge of the real or personal property that has, or should be listed and assessed, and who may have knowledge of the actual cash value of such property; and shall make a detailed statement and return to the County Supervisor of Taxation upon blanks furnished for that purpose, showing each separate piece of real property within the county.

Duty to list and assess all property.

Powers.

Detailed abstracts furnished County Supervisor of Taxation.

SEC. 2. That it is the purpose and intention of this Act that there may be one assessment board of three members for the whole of Orange County, and said board, when so appointed, shall be clothed with the same powers, duties and authority of the township boards heretofore provided by Article IV of chapter four hundred seventeen of the Public Laws of one thousand nine hundred thirty-five, and shall carry out all of the provisions of said article not inconsistent with the provisions hereof, and to this end the County Supervisor of Taxation and the list-taker in each township shall render to said board every assistance possible and furnish all information requested.

One assessment board for entire county intended.

Given powers, duties of township boards.

Cooperation between County Supervisor and township list-takers.

SEC. 3. That this Act shall apply to Orange County only.

Applies only to Orange County. Conflicting laws repealed.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed in so far as same affect Orange County.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 686

CHAPTER 345

AN ACT TO PROVIDE FOR ECONOMY IN THE ADMINISTRATION OF THE GOVERNMENT OF THE TOWN OF BURNSVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That there is hereby substituted a Commission Form of Government for the Town of Burnsville in lieu of the Mayor and Board of Aldermen Government, as now existing.

Commission form of government provided for, Town of Burnsville.

SEC. 2. That the governing officials of the Town of Burnsville

Government by three Commissioners.	shall consist of three commissioners, one of whom shall be mayor, and to be selected as hereinafter provided.
Powers and privileges.	SEC. 3. That the mayor and commissioners named in this Act, and their successors in office, shall have, and they are hereby vested with each and every power and privilege now vested in the Mayor and Board of Aldermen of the Town of Burnsville.
Term of office.	SEC. 4. The commissioners herein named shall take office the first Thursday in July, one thousand nine hundred and thirty-seven, and hold office for a period of two years: <i>Provided</i> , that if the General Assembly of North Carolina, during the session of one thousand nine hundred and thirty-seven, shall extend the term of office of governing officials of cities and towns in North Carolina, then the commissioners hereby appointed shall hold office for such term as said Act shall provide. That the Commissioners for the Town of Burnsville succeeding the commissioners appointed by this Act, shall be selected as now provided for the election of Mayor and Board of Aldermen of the Town of Burnsville, and at said election one commissioner shall be elected as Mayor by the voters of the Town of Burnsville, and two other commissioners.
Election of Commissioners.	
Vacancy appointments.	SEC. 5. If the office of a commissioner shall become vacant by reason of death, resignation, impeachment or other cause, said vacancy shall be filled by the Clerk of the Superior Court of Yancey County within thirty days after such vacancy occurs.
Commissioners named.	SEC. 6. Joseph A. Goodin, Ernest Poteat and Augustus Peterson are hereby appointed as Commissioners for the Town of Burnsville to take office the first Thursday in July, one thousand nine hundred and thirty-seven, and Joseph A. Goodin is hereby named as Mayor.
Mayor.	
Partial invalidity provision.	SEC. 7. If any section, part or clause of this Act shall be declared unconstitutional, then such provision as may be declared invalid shall not affect the remaining provisions of this Act.
Conflicting laws repealed.	SEC. 8. That all laws or clauses of laws in conflict with this Act are hereby repealed.
	SEC. 9. That this Act shall be in full force and effect from and after its ratification.
	In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 703

CHAPTER 346

AN ACT TO AMEND CHAPTER SIX HUNDRED NINETY-SEVEN OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTEEN, RELATING TO THE COUNTY COURT OF WAYNE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter six hundred ninety-seven of the

Public-Local Laws of one thousand nine hundred thirteen, entitled, "An Act to establish an inferior court for Wayne County," be, and the same is hereby amended by adding after the words "common law" in line six of section four, the words "or by statute;" and by striking out in line two of section five, the word "Monday" and inserting in lieu thereof the word "Tuesday."

Ch. 697, Public-Local Laws, 1913, amended, giving Wayne County Court jurisdiction of certain misdemeanors.

Court day changed from Monday to Tuesday.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 707

CHAPTER 347

AN ACT TO AMEND CHAPTER FORTY-FIVE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-FIVE WITH REFERENCE TO THE ADJUSTMENT OF THE BONDED INDEBTEDNESS OF ASHE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter forty-five of the Public-Local Laws of one thousand nine hundred thirty-five be and the same is hereby amended by striking out the period at the end of section three of said act, inserting a semi-colon, and adding the following: "*And provided further*, that if and when a settlement and adjustment of the bonded indebtedness of said county as provided for in section two hereof is made and the same approved by the Board of County Commissioners of said county, by a sufficient number of bond holders to put such settlement and adjustment into effect, and by the Local Government Commission of North Carolina, then and in that event, nothing contained in this section shall be so construed as to affect the validity of any bonds issued to carry out such settlement and adjustment; and nothing contained in this section or this Act shall be so construed as to relieve the Board of County Commissioners of Ashe County from the duty to levy sufficient taxes to retire both the principal and the interest of such bonds as may be issued pursuant to said settlement and adjustment as the same may become due and payable."

Ch. 45, Public-Local Laws, 1935, amended.

Validity of bonds issued by Ashe County to carry out adjustment plan properly approved, not affected by said Act.

Commissioners not relieved of duty to levy taxes for retirement of bonds.

SEC. 2. That this Act shall apply to Ashe County only.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

Applies to Ashe County only.
Conflicting laws repealed.

H. B. 708

CHAPTER 348

AN ACT RELATING TO TRUSTEES OF THE HAYWOOD COUNTY HOSPITAL

The General Assembly of North Carolina do enact:

Number of trustees,
Haywood County
Hospital.

Minority party
representation.

Conflicting laws
repealed.

SECTION 1. That the Board of Trustees of Haywood County Hospital shall consist of seven members, two of which number shall be representatives from the minority political party in Haywood County.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 711

CHAPTER 349

AN ACT TO VALIDATE THE ACTS OF J. B. CRAIGMILES, JUSTICE OF THE PEACE OF MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

Marriages performed
by J. B. Craigmiles,
J. P., Mitchell
County, validated.

SECTION 1. That each and every marriage done and performed by J. B. Craigmiles in the capacity of a justice of the peace for Mitchell County since April first, one thousand nine hundred thirty-five, be, and the same is hereby in all respects validated and confirmed.

Pending litigation
unaffected.

SEC. 2. That this Act shall be in full force and effect from and after its ratification: *Provided, however,* that it shall not affect pending litigation.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 713

CHAPTER 350

AN ACT TO AMEND THE CHARTER OF THE TOWN OF BROOKFORD, IN CATAWBA COUNTY.

The General Assembly of North Carolina do enact:

Ch. 121, Private
Laws, 1925,
repealed.

SECTION 1. That chapter one hundred and twenty-one of the Private Laws of one thousand nine hundred and twenty-five, be and the same is hereby repealed.

Ch. 230, Private
Laws, 1907,
amended.

SEC. 2. That chapter two hundred and thirty of the Private Laws of one thousand nine hundred and seven be and the same

is hereby amended by striking out all of section two and inserting in lieu thereof the following:

“SEC. 2. That the corporate limits of said town shall be as follows: Beginning at a white-oak tree in the public road on the hill North of Avery Rowe’s residence; running thence in a Southeasterly direction to a stone at a point two hundred (200) feet East of the store building occupied by Sherrill and Company, thence South to the river, thence down the river as it meanders to the mouth of Falling Creek; thence up the creek as it meanders to the mouth of a branch entering from the North side; thence North four and one-half degrees East thirteen hundred (1300) feet more or less to the Southeast corner of the school property, the same being a corner of the boundary of said town as contained in section one, chapter one hundred and twenty-one, Private Laws, one thousand nine hundred and twenty-five, thence with this boundary to the Browder line, thence with the Browder line North four and one-half degrees East six hundred and fifty (650) feet more or less to the original corner of the latter Act referred to, thence Westwardly one thousand (1000) feet more or less to the original beginning as named in section two of chapter two hundred and thirty, Private Laws of one thousand nine hundred and seven.”

Corporate limits of
Town of Brookford,
Catawba County,
defined.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws
repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 731

CHAPTER 351

AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF ALEXANDER COUNTY TO PURCHASE A CERTAIN TRACT OF LAND ADJOINING THE ALEXANDER COUNTY HOME FOR THE AGED AND INFIRM, AND TO ISSUE SHORT TERM NOTES IN PAYMENT THEREFOR.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Alexander are hereby authorized and empowered to purchase from L. J. Burgess, a certain tract of land adjoining the Alexander County Home for the aged and infirm consisting of about one hundred acres, at a sum not exceeding one thousand nine hundred dollars (\$1,900.00), and that said board be further authorized and empowered to issue short term notes to obtain such portion of the fund necessary to be borrowed in order to make

Commissioners,
Alexander County,
authorized to purchase land adjoining County Home.

Authorized to issue
short term notes
for funds to
make purchase.

such purchase, and that the faith and credit of said county shall be pledged to the payment of the sum so borrowed.

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D., 1937.

H. B. 739

CHAPTER 352

AN ACT TO FIX THE SALARY OF THE MAYOR OF BEAUFORT, NORTH CAROLINA

The General Assembly of North Carolina do enact:

Salary of Mayor of
Beaufort.

SECTION 1. That the salary of the Mayor of Beaufort, North Carolina, shall be fixed at the sum of six hundred (\$600.00) dollars per annum, payable in installments of fifty (\$50.00) dollars per month, it being understood that this is compensation for services as mayor and as judge of the police court.

Conflicting laws
repealed.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D., 1937.

H. B. 740

CHAPTER 353

AN ACT TO EXTEND THE TIME IN WHICH TAX FORE- CLOSURE SUITS MAY BE BROUGHT IN NASH COUNTY.

Preamble: Tax fore-
closure suits re-
quired within 24
months from date,
tax sales certificates.

Whereas, under section eight thousand thirty-seven of the Code it is provided that tax foreclosure suits shall be instituted within twenty-four months from the date of the tax sales certificates; and

Nash County sales,
1934 taxes, made
on Sept. 2, 1935;
sales, 1935 taxes,
on Sept. 7, 1936.

Whereas, the County of Nash made its sales for one thousand nine hundred thirty-four taxes on September second, one thousand nine hundred thirty-five, and the one thousand nine hundred thirty-five taxes on September seventh, one thousand nine hundred thirty-six; and

Suits necessitated
in season when
money scarce.

Whereas, under the above sales dates by waiting near the expiration date of two years, suits will have to be brought in the season of the year when money is scarce; *Now, therefore*,

The General Assembly of North Carolina do enact:

SECTION 1. That the time in which action shall be brought to foreclose tax sales certificates held by the County of Nash

for the year one thousand nine hundred thirty-four shall be extended until the first Monday in November, one thousand nine hundred thirty-seven, and the time in which action shall be brought to foreclose tax sales certificates held by the County of Nash for the year one thousand nine hundred thirty-five shall be extended until the first Monday in November, one thousand nine hundred thirty-eight.

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D., 1937.

Time for tax foreclosure suits, Nash County, 1934 and 1935 taxes, extended.

H. B. 769

CHAPTER 354

AN ACT TO REPEAL HOUSE BILL NUMBER TWO HUNDRED FORTY-SEVEN, RATIFIED FEBRUARY TWENTY-SEVENTH ONE THOUSAND NINE HUNDRED THIRTY-SEVEN, SAME BEING "AN ACT TO AUTHORIZE AN ELECTION IN BURKE COUNTY UPON THE QUESTIONS OF ASSUMPTION BY THE COUNTY OF ALL TOWNSHIP ROAD BONDS," AND TO RE-ENACT THE SAME.

Whereas, House Bill two hundred forty-seven was ratified February twenty-seventh, one thousand nine hundred thirty-seven, and since the passage of said Act it appears that the Constitutional provisions requiring said bill to be placed on Roll Call readings on separate days were not complied with; and

Whereas, in order to meet the requirements of the Constitution and for the proper passage of the identical Act; *Now, therefore*,

Whereas, several townships in Burke County issued bonds for the improvement of roads and highways, the respective proceeds of which were expended in the respective townships on roads and highways which were taken over by the County Highway Commission and which were thereafter incorporated in the state's system of county highways;

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Burke County is hereby authorized and empowered to call an election for the purpose of determining the sense of the voters on the question of assumption by Burke County of all road bonds issued by townships in said county which may be outstanding at the time of said election.

SEC. 2. That, except as herein provided said election shall be called and conducted in accordance with the laws of North Carolina governing elections on bond orders authorizing the issue of

Preamble: Constitution not complied with in enactment of H. B. 247, Ch. 138, Public-Local Laws, 1937.

Compliance with Constitution essential.

Road bonds issued by certain townships, Burke County.

Roads taken over by County Highway Commission.

Election authorized to determine question of assumption of township road bonds by Burke County.

Election conducted in accord general laws governing county bond issue elections.

county bonds, and it shall be lawful to vote on other matters at said election.

Method of voting.

SEC. 3. At said election voters favoring assumption of said Township Road Bonds by Burke County shall vote a ballot on which is written or printed "For assumption of Township Road Bonds by Burke County and levy of a county-wide tax therefor." Voters opposed to said assumption shall vote a ballot on which is written or printed "Against assumption of Township Road Bonds by Burke County and levy of a county-wide tax therefor." Such affirmative and negative forms may be printed upon separate ballots, or both may be printed on the same ballot containing squares opposite the affirmative and negative forms, in one of which squares the voter may make a mark ("x").

In event election carries, Burke County Commissioners directed to provide for payment of bonds.

SEC. 4. That if a majority of the qualified voters voting in said election shall vote in favor of said assumption, then it shall be the duty of the Board of County Commissioners of Burke County to include in the annual county budget, beginning with the fiscal year next succeeding such election, a sum sufficient to meet such payments: *Provided*, that said board shall have the same power and authority to refund said bonds as it has to refund other indebtedness of the county. Taxes levied under the terms of this Act are hereby declared to be for a special purpose within the meaning of section six of article five of the Constitution of North Carolina, and the levy of said taxes for said special purpose is hereby given the special approval of the General Assembly.

Power to refund bonds granted.

Taxes levied, declared for special purpose within Constitution.

Upon county's assumption of bonds, township funds payable to county.

SEC. 5. That upon such assumption of said indebtedness by the county, all funds on hand for the payment of principal and interest of such indebtedness, and all funds subsequently collected from taxes already levied in said townships on account of such indebtedness, shall be paid over to Burke County and used to reduce the amount of the county-wide tax levy herein authorized.

Upon approval of assumption, indebtedness that of Burke County.

Payments declared in reduction of County's outstanding indebtedness.

SEC. 6. That upon approval of said assumption of Township Road Bonds by Burke County, said indebtedness shall become, to all intents and purposes, indebtedness of Burke County; and it is hereby specifically declared that all payments on account of the principal of such indebtedness made after such assumption shall be construed as reduction of the outstanding indebtedness of said county within the meaning of section four of article five of the Constitution of North Carolina.

Conflicting laws repealed.

SEC. 7. That all laws and clauses of laws in conflict with this Act are hereby repealed in so far as they may apply to Burke County.

SEC. 8. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D., 1937.

H. B. 770

CHAPTER 355

AN ACT TO REPEAL HOUSE BILL NUMBER TWO HUNDRED FORTY-EIGHT, RATIFIED FEBRUARY TWENTY-SEVENTH, ONE THOUSAND NINE HUNDRED THIRTY-SEVEN, SAME BEING "AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF BURKE COUNTY TO FUND OUTSTANDING TAX ANTICIPATION NOTES," AND TO RE-ENACT THE SAME.

Whereas, House Bill two hundred forty-eight was ratified February twenty-seventh, one thousand nine hundred thirty-seven, and since the passage of said Act it appears that the constitutional provisions requiring said bill to be placed on roll call readings on separate days were not complied with; and

Whereas, in order to meet the requirements of the Constitution and for the proper passage of the identical Act; *Now, Therefore*,

Whereas, on the eighteenth day of December one thousand nine hundred and twenty-eight, a former Board of Commissioners of Burke County did issue a Tax Anticipation Note in the sum of thirty thousand dollars (\$30,000.00), bearing interest at the rate of six per cent (6%) per annum; and

Whereas, on the twenty-ninth day of January one thousand nine hundred and twenty-nine, the said former Board of Commissioners of Burke County did issue a Tax Anticipation Note in the sum of twenty thousand dollars (\$20,000.00), bearing interest at the rate of six per cent (6%) per annum; and

Whereas, the First National Bank of Morganton, North Carolina, purchased said Tax Anticipation Notes and has permitted their renewal from time to time, and the last renewal of said notes will be due on the thirtieth day of March, one thousand nine hundred and thirty-seven; that for the past several years former Boards of County Commissioners of Burke County have renewed these said notes, and made no provision for their retirement, and the First National Bank of Morganton has voluntarily reduced the interest rate on said notes to five per cent (5%); the Board of County Commissioners feels, however, that some provision should be made for the liquidation of said debt over a period of years;

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Burke County be, and they are hereby authorized and empowered to fund said Tax Anticipation Notes aggregating fifty thousand dollars (\$50,000.00) and bearing interest at the rate of five per cent (5%) per annum, by issuing ten funding notes of the denomination of five thousand dollars (\$5,000.00) each, interest payable semiannually at the rate hereinafter provided for, to be dated March thirtieth, one thousand nine hundred and thirty-seven, and due and payable as follows:

Preamble: Constitution not complied with in enactment of H. B. 248, Ch. 139, Public-Local Laws, 1937.

Compliance with Constitution essential.

\$30,000 Tax Anticipation Note, Burke County, issued.

\$20,000 Tax Anticipation Note, Burke County, issued.

Notes renewed from time to time.

No provision for retirement.

Interest rate reduced.

Provision for liquidation desired.

5% funding notes, Burke County, authorized.

Date and denominations.

Notes enumerated.

One \$5,000 note due March 30, 1938, bearing interest at the rate of $3\frac{1}{2}\%$ per annum,

One \$5,000 note due March 30, 1939, bearing interest at the rate of $3\frac{1}{2}\%$ per annum,

One \$5,000 note due March 30, 1940, bearing interest at the rate of $3\frac{1}{2}\%$ per annum,

One \$5,000 note due March 30, 1941, bearing interest at the rate of 4% per annum,

One \$5,000 note due March 30, 1942, bearing interest at the rate of 4% per annum,

One \$5,000 note due March 30, 1943, bearing interest at the rate of 4% per annum,

One \$5,000 note due March 30, 1944, bearing interest at the rate of 5% per annum,

One \$5,000 note due March 30, 1945, bearing interest at the rate of 5% per annum,

One \$5,000 note due March 30, 1946, bearing interest at the rate of 5% per annum,

One \$5,000 note due March 30, 1947, bearing interest at the rate of 5% per annum.

Authorization by
County Commis-
sioners.

Approval by Local
Government Com-
mission.

Exchanged for Tax
Anticipation Notes.

Execution of notes.

Tax levy authorized
for payment.

Conflicting laws
repealed.

SEC. 2. That the Board of County Commissioners of Burke County is hereby empowered to authorize by resolution the execution and issuance of said notes upon approval thereof by the Local Government Commission, and said notes shall be exchanged, pursuant to the Local Government Act, par for par for the said Tax Anticipation Notes maturing March thirtieth one thousand nine hundred and thirty-seven, upon consent of the holders thereof. Said funding notes shall be executed on behalf of the county by the Chairman of the Board of County Commissioners, attested by the Clerk of said Board of County Commissioners and the seal of the county shall be impressed thereon.

SEC. 3. That for the payment of principal and interest of said funding notes herein authorized, as the same fall due, the Board of County Commissioners shall annually levy a tax on all taxable property in Burke County.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D., 1937.

H. B. 779

CHAPTER 356

AN ACT TO AMEND CHAPTER FOUR HUNDRED THIRTEEN, OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-FIVE, RELATING TO THE ADJUSTMENT OF DELINQUENT TAXES IN PENDER COUNTY AND CREATING A COMMISSION FOR EFFECTING SUCH ADJUSTMENTS.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter four hundred thirteen of the Public-Local Laws of one thousand nine hundred thirty-five, be, and the same is hereby amended by striking out the word "thirty-six" in line twenty-four and inserting in lieu thereof the word "thirty-nine."

Ch. 413, Public-Local Laws, 1935, amended, continuing Tax Adjustment Commission, Pender

SEC. 2. That all acts and things which have been done from July first, one thousand nine hundred thirty-six, to date of ratification of this Act, with respect to the matters contained in chapter four hundred thirteen, Public-Local Laws of one thousand nine hundred thirty-five, be, and the same are hereby validated.

Acts done since July 1, 1936, validated.

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D., 1937.

H. B. 780

CHAPTER 357

AN ACT AUTHORIZING THE CITY COUNCIL OF THE TOWN OF ELIZABETH CITY TO LEVY A SUFFICIENT TAX TO DEFRAY THE NECESSARY EXPENSES OF THE FIRE DEPARTMENT OF ELIZABETH CITY.

The General Assembly of North Carolina do enact:

SECTION 1. That, an efficient fire department being necessary to the protection and preservation of the property of the citizens and of the Town of Elizabeth City, the charter, by-laws, and all other laws, rules, and regulations enacted for administrative purposes of said Town of Elizabeth City, be, and the same are hereby so amended as to authorize and empower the City Council or proper governing body of Elizabeth City, in its discretion, to levy a sufficient ad valorem tax upon the property in said Town of Elizabeth City for the purpose of maintaining and defraying the necessary expenses of the fire department in Elizabeth City.

Town of Elizabeth City authorized to levy tax for expenses of fire department.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D., 1937.

H. B. 783

CHAPTER 358

AN ACT AUTHORIZING AND REQUIRING THE BOARD OF COUNTY COMMISSIONERS OF PASQUOTANK COUNTY TO APPLY THE PROFITS ACCRUING FROM THE OPERATION OF THE LIQUOR STORE OR STORES IN SAID COUNTY TO THE RETIREMENT OF THE COUNTY DEBT.

The General Assembly of North Carolina do enact:

Pasquotank County's share of liquor store profits directed to retirement of bonded indebtedness.

No other use except for enforcement.

Conflicting laws repealed.

SECTION 1. That the Board of County Commisisoners of Pasquotank County are hereby authorized and directed to apply all of its share of the profits accruing from the liquor store or stores operated in said county to the retirement of its bonded debt, and that no part of the profits, except that which is set aside for enforcement, shall be used for any other purpose until said bonded debt of Pasquotank County is retired in full.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D., 1937.

H. B. 785

CHAPTER 359

AN ACT TO PROVIDE FOR THE OFFICE OF TAX COLLECTOR FOR LENOIR COUNTY, IN THE DISCRETION OF THE BOARD OF COMMISSIONERS.

The General Assembly of North Carolina do enact:

Creation of office of Tax Collector, Lenoir County, authorized.

Collection and settlement of all taxes by Collector.

Appointment of Tax Collector.

SECTION 1. That the Board of County Commisisoners of Lenoir County are hereby authorized and empowered, in the discretion of said board, to create and establish the office of Tax Collector in and for Lenoir County, and to appoint a Tax Collector for Lenoir County, who shall qualify and shall be responsible for the collection and settlement as provided by law for all taxes, whether general, special or privilege taxes.

SEC. 2. That upon the creation of the office of Tax Collector, the Board of County Commissioners for Lenoir County on the first Monday of June of the year said office is created and es-

tablished, and on the first Monday of June of each and every succeeding year shall name and appoint a Tax Collector who shall take oath of office and give such bond as is now required by law of the sheriff in his capacity as Tax Collector and any additional bond as the Board of County Commissioners may require, the premium of such bonds to be paid for by the county out of its general funds.

SEC. 3. That the Board of County Commissioners shall have complete control over the Tax Collector and his office with power to discharge without notice and shall fix his salary and pay therefor out of the general funds of the county, and shall provide the necessary office space, equipment and clerical assistance and pay therefor out of the general funds of the county. The salary so established shall be the full compensation of such Tax Collector and any fees or commissions allowed such Tax Collector or arising to the Tax Collector hereunder shall be turned over by him to the general fund of the county.

SEC. 4. That the Tax Collector hereunder shall have all the powers heretofore conferred and all duties and penalties heretofore imposed by law upon the sheriff in his capacity as Tax Collector, and all such powers, duties and penalties are hereby transferred to said Tax Collector to be exercised and performed by him.

SEC. 5. That said Tax Collector is hereby authorized to collect delinquent, as well as current, taxes and he shall make a full and complete settlement of all taxes collected with the Board of County Commissioners of Lenoir County on the first Monday in July of each and every year, and upon demand and thirty days' notice by the said Board of County Commissioners, the said Tax Collector shall make a full and complete settlement with the said board on the first Monday of any other month.

SEC. 6. That the Sheriff of Lenoir County shall continue to collect and account for all taxes for the year of which he has not made settlement with said Board of County Commissioners, as the law provides.

SEC. 7. That the Board of County Commissioners may, in its discretion, combine the office of Tax Collector with any other appointive office, and may in its discretion appoint such appointive officer as Tax Collector in addition to his other duties, and one such person may hold both offices.

SEC. 8. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 9. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D., 1937.

Successor appointments.

Oath and bond required.

Bond premiums paid by county.

Tax Collector subject to control of County Commissioners.

Salary.

Provision for office space, equipment, etc.

Fees and commissions paid into county general fund.

Powers and duties.

Authorized to collect delinquent taxes.

Full settlement required annually.

Upon notice by Commissioners, full settlement required any month.

Collection of certain taxes by sheriff.

Commissioners authorized to combine Tax Collector with other appointive office.

Conflicting laws repealed.

H. B. 786

CHAPTER 360

AN ACT TO VALIDATE SALES OF LAND FOR TAXES IN THE TOWN OF LA GRANGE, LENOIR COUNTY, AND TO FIX THE TIME FOR ADVERTISING DELINQUENT TAXES AND FOR TAX SALES IN SAID TOWN.

The General Assembly of North Carolina do enact:

Tax sales for 1935 and prior years, Town of La Grange, Lenoir County, validated.

SECTION 1. That all sales of real property for taxes due the Town of La Grange, Lenoir County, made by the governing body of said town for the year one thousand nine hundred and thirty-five or any year prior thereto, on any day other than the day fixed by law for such sales, be and the same are hereby validated and confirmed in all respects.

Time fixed for beginning advertisement of 1936 delinquent taxes.

SEC. 2. That beginning with the advertisement of delinquent taxes on real property for the year one thousand nine hundred and thirty-six, all such advertisements shall be made by the Town of La Grange on the first Monday in October of each year, and all sales of land by said town for delinquent taxes so advertised shall be made on the first Monday in November of each year.

Time fixed for tax sales.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D., 1937.

H. B. 798

CHAPTER 361

AN ACT TO AUTHORIZE THE CITY COUNCIL OF THE TOWN OF ELIZABETH CITY TO REGULATE THE SALARY OF THE HEALTH OFFICER OF SAID TOWN.

The General Assembly of North Carolina do enact:

Salary, Municipal Health Officer, Elizabeth City.

SECTION 1. That the City Council of the Town of Elizabeth City be, and it is hereby authorized to pay, in its discretion to the municipal health officer of said town, an annual salary not to exceed nine hundred (\$900.00) dollars per year.

Conflicting laws repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 788

CHAPTER 362**AN ACT TO PRESCRIBE THE METHOD OF LISTING
TAXES FOR THE TOWN OF CARRBORO.***The General Assembly of North Carolina do enact:*

SECTION 1. That for the purpose of levying a tax on property located within the corporate limits of the Town of Carrboro, the tax abstracts made for the County of Orange may be used by the Town of Carrboro, in so far as they apply to property situated within the town and the town shall have the right to force a collection on these taxes in the same manner as if a separate listing of the property was had for the town.

Use of Orange
County tax abstracts,
by Town of Carr-
boro in levying town
taxes, authorized.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws
repealed.

SEC. 3. That this Act shall be in full force and effect immediately upon ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D., 1937.

H. B. 789

CHAPTER 363

AN ACT TO VALIDATE CERTAIN SALES OF LAND FOR TAXES AND CERTIFICATES ISSUED IN PURSUANCE THEREOF AND TO VALIDATE FORECLOSURE PROCEEDINGS INSTITUTED UPON CERTIFICATES OF SALE BY THE TOWN OF CARRBORO DURING THE YEARS ONE THOUSAND NINE HUNDRED TWENTY-SEVEN, ONE THOUSAND NINE HUNDRED TWENTY-EIGHT, ONE THOUSAND NINE HUNDRED TWENTY-NINE, ONE THOUSAND NINE HUNDRED THIRTY, ONE THOUSAND NINE HUNDRED THIRTY-ONE, ONE THOUSAND NINE HUNDRED THIRTY-TWO, ONE THOUSAND NINE HUNDRED THIRTY-THREE, ONE THOUSAND NINE HUNDRED THIRTY-FOUR, ONE THOUSAND NINE HUNDRED THIRTY-FIVE, AND ONE THOUSAND NINE HUNDRED THIRTY-SIX.

The General Assembly of North Carolina do enact:

SECTION 1. That all sales of land for failure to pay taxes held or conducted by the Tax Collector for the Town of Carrboro during the years one thousand nine hundred twenty-seven, one thousand nine hundred twenty-eight, one thousand nine hundred twenty-nine, one thousand nine hundred thirty, one thousand nine hundred thirty-one, one thousand nine hundred thirty-two, one thousand nine hundred thirty-three, one thousand nine hundred thirty-four, one thousand nine hundred thirty-five, and one thousand nine hundred thirty-six on any date subsequent to

Delinquent tax sales,
Town of Carrboro,
1927-36, inclusive,
validated.

Tax certificates
validated.

or other than the date prescribed by law and all certificates of sale executed and issued in accordance with such sales be, and the same is hereby approved, confirmed, and validated and shall have the same force and legal effect as if said sales had been held and conducted on the date prescribed by law.

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 792

CHAPTER 364

AN ACT TO AMEND CHAPTER ONE HUNDRED FIFTY-EIGHT OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED ELEVEN AND CHAPTER SIX HUNDRED FOURTEEN OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED ELEVEN, RELATIVE TO THE RECORDER'S COURT OF VANCE COUNTY.

The General Assembly of North Carolina do enact:

Sec. 12, Ch. 158,
Public-Local Laws,
1911; Sec. 9, Ch.
614, Public-Local
Laws, 1911;
amended.

County Commis-
sioners alone au-
thorized to appoint
prosecutor, Vance
County Recorder's
Court.

Ch. 158, Public-
Local Laws, 1911,
amended, giving court
jurisdiction over
stolen goods to value
of \$20.

Conflicting laws
repealed.

SECTION 1. That section twelve of chapter one hundred fifty-eight of the Public-Local Laws of one thousand nine hundred eleven, be, and the same is hereby amended by striking out in lines one and two of said section the words "the Board of Town Commissioners of the Town of Henderson"; and that section nine of chapter six hundred fourteen of the Public-Local Laws of one thousand nine hundred eleven, be, and the same is hereby amended by striking out in lines two and three of said section the words "acting with."

SEC. 2. That sub-section (d) of section five of chapter one hundred fifty-eight of the Public-Local Laws of one thousand nine hundred eleven, be, and the same is hereby amended by striking out the word "ten" in line seven of said sub-section and inserting in lieu thereof the word "twenty."

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 793

CHAPTER 365

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF PASQUOTANK COUNTY TO REGULATE THE COMPENSATION OF THE TAX SUPERVISOR.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Pasquotank County be, and it is hereby authorized to pay to the tax supervisor a salary of five (\$5.00) dollars per diem and five cents (5c) per mile for the use of his car for the time that he may be necessarily engaged in performance of his duties as Tax Supervisor for Pasquotank County.

Salary of Tax Collector, Pasquotank County.

Mileage allowance.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 794

CHAPTER 366

AN ACT TO AUTHORIZE THE CITY COUNCIL OF ELIZABETH CITY TO REGULATE THE SALARY OF THE CHAIRMAN OF THE PUBLIC UTILITIES COMMISSION OF SAID TOWN.

The General Assembly of North Carolina do enact:

SECTION 1. That the City Council of Elizabeth City be, and it is hereby authorized to pay, in its discretion, to the Chairman of the Public Utilities Commission of said town, a monthly salary not to exceed thirty dollars (\$30.00) per month.

Salary of Chairman, Public Utilities Commission, Elizabeth City.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 795

CHAPTER 367

AN ACT TO FIX THE MONTHLY SALARY OF THE MEMBERS AND OF THE CHAIRMAN OF THE CITY COUNCIL OF THE TOWN OF ELIZABETH CITY.

The General Assembly of North Carolina do enact:

SECTION 1. That the members, other than the Chairman, of

Salary, members of
City Council,
Elizabeth City.

Chairman's salary.

Conflicting laws
repealed.

the City Council of the Town of Elizabeth City shall each receive the sum of ten (\$10.00) dollars per month, and the Chairman of said City Council shall receive the sum of twenty-five (\$25.00) dollars per month, as compensation for their services.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 796

CHAPTER 368

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF PASQUOTANK COUNTY TO REGULATE THE SALARY OF THE CHAIRMAN OF THE BOARD OF SAID COMMISSIONERS.

The General Assembly of North Carolina do enact:

Salary of Chairman,
Pasquotank County
Board of Commis-
sioners.

SECTION 1. That the Board of County Commissioners of Pasquotank County is hereby authorized to pay to the chairman of the board, in its discretion, a salary not to exceed six hundred (\$600.00) dollars per annum.

Conflicting laws
repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 802

CHAPTER 369

AN ACT RELATING TO THE COLLECTION OF PAVING ASSESSMENTS IN THE TOWN OF AULANDER, BERTIE COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Acts of Commis-
sioners, Town of Aulan-
der, and others, relat-
ing to extension of
time for paying
street assessments,
validated.

SECTION 1. That all acts of the Board of Commissioners of the Town of Aulander, Bertie County, North Carolina, and all acts done under direction of or pursuant to authority given by the said Board of Commissioners of the Town of Aulander relating to the extension of time for the payment of street assessments heretofore levied by the said board of commissioners are hereby in all respects validated, ratified and confirmed.

Aulander Commis-
sioners directed to
collect matured in-
stallments of street
assessments.

SEC. 2. That the Board of Commissioners of the Town of Aulander, Bertie County, North Carolina, are hereby empowered, authorized and directed to collect each and every matured

installment, plus all interest accrued at the time of collection, of the street assessments heretofore levied by the governing body of said town against any property in said Town of Aulander for the pavement or other improvement of streets or sidewalks.

SEC. 3. That none of the installments of said street assessments, whether matured or unmatured, including the interest on the same, shall, for any reason whatsoever, become barred from collection before the first day of July, one thousand nine hundred forty-six.

Collection of street assessment installments not barred before July 1, 1946.

SEC. 4. If any part of this Act shall be declared unconstitutional it shall not affect any other part of the Act.

Partial invalidity provision.

SEC. 5. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 6. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 804

CHAPTER 370

AN ACT EXTENDING DATE OF TOWN OF AULANDER TAX SALES.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of the Town of Aulander, Bertie County, North Carolina, are hereby authorized and given the right and power to extend until the first Monday in December in each and every year, the date for conducting sales of land for failure to pay Town of Aulander taxes.

Commissioners, Town of Aulander, authorized to extend time for delinquent tax sales.

SEC. 2. That the said Board of Commissioners may, according to their judgment, hold and conduct sales of land for failure to pay taxes on the day now prescribed by law or they may hold and conduct such sales at any time prior to and including the first Monday in December of any year.

Aulander Commissioners authorized to conduct tax sales, any time prior to first Monday, December.

SEC. 3. That all acts of said commissioners relating to sales of land for taxes and all such sales held or conducted on or before the first Monday in December in any year shall be valid.

Acts of Commissioners relating to tax sales, validated.

SEC. 4. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 5. If any part of this Act shall be declared unconstitutional it shall not affect any other part of the Act.

Partial invalidity provision.

SEC. 6. That this Act shall be in force and effect from its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 806

CHAPTER 371

AN ACT EXTENDING TIME FOR FORECLOSURE OF
TOWN OF AULANDER TAX SALES CERTIFICATES.

The General Assembly of North Carolina do enact:

Foreclosure of tax
sale certificates
issued to Town of
Aulander, directed.

SECTION 1. That the Board of Commissioners of the Town of Aulander, Bertie County, North Carolina, are hereby empowered, authorized and directed to foreclose all tax sale certificates which have been issued to the said town as purchaser at the sale of land for Town of Aulander taxes.

Acts of Commission-
ers of Aulander re-
lating to foreclosure
of tax sales cer-
tificates, validated.

SEC. 2. That all acts of the Board of Commissioners of the Town of Aulander, Bertie County, North Carolina, and all acts done under direction of or pursuant to authority granted by said commissioners, relating to the foreclosure of tax sales certificates issued to the said Town of Aulander as purchaser at the sale of land for Town of Aulander taxes are hereby in all respects validated, ratified and confirmed.

Foreclosure of tax
sales certificates,
owned by Aulander,
not barred before
Oct. 1, 1937.

SEC. 3. That none of the tax sales certificates now owned by the Town of Aulander, including interest, penalties and costs on the same, shall, for any reason whatsoever, become barred from foreclosure before the first day of October, one thousand nine hundred thirty-seven.

Partial invalidity
provision.

SEC. 4. If any part of this Act shall be declared unconstitutional it shall not affect any other part of the Act.

Conflicting laws
repealed.

SEC. 5. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC 6. That this Act shall be in force and effect from its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 629

CHAPTER 372

AN ACT TO VALIDATE THE ACTS OF T. C. McCALL,
JUSTICE OF THE PEACE OF TRANSYLVANIA COUNTY.

The General Assembly of North Carolina do enact:

Acts of T. C. McCall
as Justice of Peace,
Transylvania County,
validated.

SECTION 1. That each and every official act of T. C. McCall, done and performed in the capacity of a Justice of the Peace for Transylvania county since April first, one thousand nine hundred and thirty-five, be and the same is hereby in all respects validated and confirmed.

Act not to affect
pending litigation.

SEC. 2. That this Act shall be in full force and effect from and after its ratification: *Provided, however,* that it shall not affect pending litigation.

In the General Assembly read three times and ratified, this the 9th day of March, A.D. 1937.

H. B. 812

CHAPTER 373

AN ACT TO REPEAL CHAPTER FIVE HUNDRED THIRTY-SIX OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-FIVE AND ALL ACTS AMENDATORY THERETO REGARDING THE FIXING OF FEES FOR THE CLERK OF THE SUPERIOR COURT OF FORSYTH COUNTY AND THE CLERK OF THE FORSYTH COUNTY COURT OF FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. Fees and commissions to be charged by the Clerk of the Superior Court of Forsyth County and the Clerk of the Forsyth County Court of Forsyth County shall be the following and none other: *Provided, however,* that when a fee is not fixed herein the fee to be charged therefor shall be as provided and set out in the General Fee Bill of North Carolina and the fees herein set out shall be collected by the clerk as provided by law for the collection of said fees.

Fees for C. S. C., Forsyth County, and Clerk, Forsyth County Court, provided for.

SEC. 2. The clerk shall not charge any fee of any public official of Forsyth County for the taking of a bond for the faithful performance of his official duties when the bond is payable to the county or state.

No fee charged Forsyth County officials for taking bond.

SEC. 3. Definition of Fiduciary: When the word fiduciary is used in this Act, it shall include any person, association of persons, whether incorporated or not, administering any trust or estate as executor, administrator, administrator c.t.a., administrator d.b.n., administrator c.t.a. d.b.n., collector, guardian or trustee for a minor or incompetent, receiver, surviving partner, or any other person appointed by the clerk of any other court to administer a trust or estate that shall come under the jurisdiction of the clerk and/or when the clerk is required by law or by an order of any court to supervise the administration of the estate and to audit and approve the accounts filed by such person.

"Fiduciary" as used in Act defined.

SEC. 4. That there shall be levied a process tax of two dollars, subject to all of the provisions of section one hundred fifty-seven and all sub-sections thereto of the Revenue Act of one thousand nine hundred thirty-seven.

State process tax levied.

SEC. 5. Advertising and Selling Property, either real or personal, under a mortgage deed, chattel mortgage or deed of trust given in lieu of a bond, five per cent of the sale price.

Fees for advertising and selling property.

SEC. 6. Adoption—complete—five dollars.

Adoption.

SEC. 7. Affidavit—twenty-five cents (except affidavits on inventories, annual and final accounts of fiduciaries and affidavits taken for the county.)

Affidavit.

SEC. 8. Appeal—docketing—from clerk or other court, one dollar.

Docketing appeal.

SEC. 9. Appeal to Supreme Court—certificate and seal, two dollars.

Appeal certificate.

Attachment order.

Auditing fiduciaries' accounts.

Fees charged on receipts, collections or debits.

Fees charged on transfers of property in kind to heirs, etc.

Fee based on estimated cash value of property.

Time of computing such fees.

Fees charged on proceeds from real estate sales, rents, collected by fiduciary.

Fee fixed in cases where no annual account by fiduciary.

Minimum and maximum fee.

No fees for annual or final account except recording and auditing fees.

Auditing, recording final accounts of Commissioners to sell real estate.

Auditing final accounts of trustees and mortgagees.

Minimum and maximum fees.

SEC. 10. Attachment—order—fifty cents.

SEC. 11. Accounts of Fiduciaries—auditing annual or final accounts of fiduciaries, ten cents per one hundred dollars through two hundred thousand dollars and five cents per one hundred dollars on the amount above two hundred thousand dollars; *provided*, these fees are to be charged upon receipts, collections or debits: *Provided, further*, that when stocks, bonds, or any other personal property of any kind, class or description are transferred, delivered or assigned over to any heir, creditor, distributee, legatee or devisee without converting same into cash, these fees shall be computed and charged on said personal property so transferred, delivered or assigned to any heir, creditor, distributee, legatee or devisee, the value upon which the fee is to be computed upon said personal property to be the estimated cash value of same as of the date of death of the deceased or date of qualification of any fiduciary administering an estate for some one other than a deceased person. The fees to be charged by the clerk on the personal property delivered, transferred or assigned shall be charged and computed at the time of the filing of any account, either annual or final showing transfer, delivery or assignment of any personal property not converted into cash. The fees herein provided shall be charged upon all real estate that is not sold or converted into cash, the value of said real estate to be fixed as of date of death or qualification as provided for stocks and bonds, and to be computed and charged by the clerk at the time of filing final account. These fees are to be charged on receipts, collections or debits and shall include all proceeds from sales of real estate, rents from real estate and all principal and income collected by the fiduciary; provided, that when any fiduciary shall fail to file an annual account, fee to be charged shall be at the rate of two hundred fifty dollars per year for the period covered by the account, but in no instance shall such fee for each year be less than one dollar and in no instance shall the fee for each year exceed two hundred fifty dollars. The foregoing fees shall be charged on all accounts filed after this Act is ratified. The clerk shall not charge any fees for any annual or final account except the recording fee and the fee for auditing and supervision.

SEC. 12. Auditing and recording final accounts of commissioners appointed to sell real estate—one-half of the fees allowed for auditing accounts of fiduciaries; *provided*, this section shall not apply to sales of real estate where the funds are turned over to a fiduciary.

SEC. 13. Accounts of Trustees and Mortgagees—auditing final accounts of trustees and mortgagees or other persons, firms or corporations selling real estate under foreclosure proceeding required by law to render such final account, the fee shall be twenty-five cents on each one hundred dollars through one thousand dollars; and ten cents for each one hundred dollars for everything above one thousand dollars: *Provided*, the minimum

fee shall be not less than one dollar and fifty cents and *provided*, the maximum fee shall be not more than twenty-five dollars.

SEC. 14. Arrest—order of—for each defendant one dollar.

Order of arrest.

SEC. 15. Automobile Tax Report—fifty cents.

Automobile tax report.

SEC. 16. Bill of Costs—preparing—fifty cents.

Preparing bill of costs.

SEC. 17. Bond, including justification—fifty cents (except fiduciary bonds).

Justification of bond.

SEC. 18. Capias—for each defendant—one dollar.

Capias.

SEC. 19. Caveat to Will—entering and docketing for trial—two dollars and fifty cents.

Entering caveat to will.

SEC. 20. Certificate—twenty-five cents (except when discharging fiduciary bonds).

Certificate.

SEC. 21. Claim and Delivery order—fifty cents.

Claim and delivery order.

SEC. 22. Commissions—five per cent shall be allowed the clerk on all fines, penalties, amercements and taxes paid him by virtue of his office.

Commissions on fines, etc., paid Clerk.

SEC. 23. Commissions—the clerk shall receive five per cent of all sums of money placed in his hands by virtue of his office except judgments, decrees and executions.

Commissions on sums placed in Clerk's hands.

Exceptions.

SEC. 24. Continuance—one dollar.

Continuance.

SEC. 25. Commissioner—report of sale of property by commissioner when fund is turned over to a fiduciary—two dollars and fifty cents.

Commissioner's report of sale.

SEC. 26. Confirmation of Sale whether signed by judge or clerk—one dollar.

Confirmation of sale.

SEC. 27. Cross Indexing—ten cents for each name in each proceeding, each time entered on cross index.

Cross indexing.

SEC. 28. Deed of Separation or any other deed or instrument acknowledged by husband and wife, with a special examination of wife, including probate—one dollar.

Acknowledgments by husband and wife.

SEC. 29. Dower—issuing writ—one dollar.

Issuing dower writ.

SEC. 30. Ex Parte Proceeding—docketing—one dollar.

Docketing ex parte proceeding.

SEC. 31. Execution on Money Judgment—regular form fifty cents; and ten cents per one hundred words additional for long form.

Execution on money judgment.

SEC. 32. Execution against person; for specific property; for possession of property—each—one dollar.

Execution against person, etc.

SEC. 33. Execution Return on docketing—fifty cents.

Docketing return.

SEC. 34. Fiduciaries' Appointment—administrator, administrator c.t.a., administrator d.b.n., administrator c.t.a. d.b.n., executor, collector, surviving partner, guardian for a minor, guardian or trustee for an incompetent, or trustee under a will, which includes application, preliminary inventory, oath, order of appointment, original letters and bond, when executed by a corporate surety—three dollars. When personal bond is given in lieu of a corporate surety bond, there shall be an additional fee of one dollar to be charged for the justification of the surety and examination as to his ability to justify.

Fiduciaries' appointment.

Additional fee when personal bond in lieu of corporate surety.

SEC. 35. Filing Papers—ten cents each.

Filing papers.

Certifying fiduciary letters.	SEC. 36. Fiduciary Letters—each certified copy with seal—fifty cents.
Notifying Solicitor of guardian's removal.	SEC. 37. Guardian—notifying solicitor of removal—one dollar.
Appointment, Guardian Ad Litem.	SEC. 38. Guardian Ad Litem—appointment—one dollar.
Hearing before Clerk.	SEC. 39. Hearing before Clerk—two dollars for each hour. Minimum two dollars.
Docketing indictment.	SEC. 40. Indictment—docketing—for each person in bill—one dollar and fifty cents.
Injunction order.	SEC. 41. Injunction—order—one dollar.
Inventory.	SEC. 42. Inventory of Fiduciary—no fee to be charged for the filing of an inventory of a fiduciary except recording fee, which shall include the fee for filing and for the taking of the affidavit to same when taken by the clerk.
Recording corporation certificate.	SEC. 43. Corporation Certificates—recording first four sheets—three dollars; and ten cents per one hundred words additional for each sheet over four.
Qualification of J. P.	SEC. 44. Justice of the Peace—qualification—fifty cents.
Recording criminal judgment.	SEC. 45. Judgment Criminal—recording in minutes, each defendant—fifty cents.
Docketing transcripts.	SEC. 46. Judgment—docketing transcript or regular form judgment fifty cents; and ten cents per one hundred words additional for long form judgment or transcript.
Certificate of satisfaction.	SEC. 47. Certificate of Satisfaction or certificate of docket entries, with seal—fifty cents.
Judgment final.	SEC. 48. Judgment Final in civil action whether signed by judge or clerk—one dollar.
Judgment by confession.	SEC. 49. Judgment by Confession—complete—three dollars.
Judgment nisi; issuing sci. fa.	SEC. 50. Judgment Nisi and issuing sci fa to a defaulting witness, juror or of any bail bond or recognizance—one dollar for each person for whom same is issued.
Recording judgment nisi.	SEC. 51. Judgment Nisi—recording in minutes—each fifty cents.
Impaneling jury.	SEC. 52. Impaneling Jury—no charge.
Jury tax.	SEC. 53. Jury Tax—four dollars for each hour used, time to be computed from the time selection of the jury is commenced through and until verdict is rendered. Minimum, four dollars.
Cancelling lis pendens.	SEC. 54. Lis Pendens—cancelling notice of—no charge.
Lien.	SEC. 55. Lien—minimum fee one dollar and fifty cents for Recording Clerk's regular form; and ten cents per one hundred words additional for recording all in excess of regular form.
Recording minutes.	SEC. 56. Minutes—recording—ten cents per one hundred words for each paper recorded in minutes whether signed by judge or clerk (except minutes in criminal cases).
Motion.	SEC. 57. Motion—regular filing fee.
Notice.	SEC. 58. Notice—each notice whether signed by clerk or judge—fifty cents (except notice of publication).
Qualifying N. P.	SEC. 59. Notary Public—qualifying and indexing—fifty cents.
Registering nurses.	SEC. 60. Nurses—registering trained nurses, issuing certificate with seal and indexing—fifty cents.
Appointment, next friend.	SEC. 61. Next Friend—appointment of—one dollar.

SEC. 62. Orders—not otherwise provided for, whether signed by judge or clerk—fifty cents.	Orders not otherwise provided for.
SEC. 63. Partnership—registering any partnership certificate, including affidavit, fifty cents.	Registering partnership certificates.
SEC. 64. Probate—of any instrument—fifteen cents.	Probate,
SEC. 65. Process Agent—not needed.	Process agent.
SEC. 66. Petition—not needed.	Petition.
SEC. 67. Privy Examination of wife—twenty-five cents.	Privy examination of wife.
SEC. 68. Publication—filing affidavit, issuing notice and order of publication—one dollar.	Order of publication.
SEC. 69. Pauper—examination of and order to sue as a pauper—two dollars.	Order in pauper suits.
SEC. 70. Recording—ten cents per one hundred words.	Recording.
SEC. 71. Renunciation of right to administer upon an estate—no charge.	Renunciations, right to administer.
SEC. 72. Transcript of any matter on record or on file—ten cents per one hundred words.	Transcripts.
SEC. 73. Referee—not needed.	Referee.
SEC. 74. Summons—docketing—twenty-five cents.	Docketing summons.
SEC. 75. Seal of Office—twenty-five cents.	Seal of office.
SEC. 76. Solicitor's Fees. The fees set out in the following sub-sections for the offenses therein set out shall be taxed by the Clerk of the Superior Court in all criminal actions wherein the defendant is adjudged to pay the costs:	Solicitor's fees fixed, to be taxed by C. S. C.
a. Assault with deadly weapon; abandonment; carrying concealed weapon; cruelty to animals; disturbing graves; disposing of mortgaged property; fornication and adultery; malicious injury to property; non-support; operating automobile intoxicated; possessing liquor; resisting officer; reckless driving, and transporting liquor, ten dollars for each defendant in each case.	Schedule of fees in criminal actions.
b. Assault with intent to commit rape; bigamy; embezzlement; false pretense; highway robbery; larceny and receiving; manufacturing liquor; manslaughter; perjury; seduction, and violating prohibition law; twenty dollars for each defendant in each case.	
c. Arson; burglary; murder; and rape; fifty dollars for each defendant in each case.	
d. Crime against nature; felonies not enumerated; house-breaking; larceny and receiving; and receiving stolen goods, fifteen dollars for each defendant in each case.	
e. Forcible trespass; giving worthless check, misdemeanors not enumerated; simple assault; speeding; vagrancy; and violating automobile law, five dollars for each defendant in each case.	
f. Forgery; housebreaking, larceny and receiving, thirty dollars for each defendant in each case.	
SEC. 77. Subpoena—each name in same, fifteen cents.	Subpoena.
SEC. 78. Summons—issuing original in any action one dollar; and one dollar for each original alias summons.	Issuing summons.

Copies of summons.	SEC. 79. Summons—each copy twenty-five cents; and twenty-five cents for each copy of an alias summons.
Docketing Sheriff's levy.	SEC. 80. Sheriff's Levy—docketing—ten cents per one hundred words.
Stenographic fees.	SEC. 81. Stenographer—when stenographer is used, two dollars for each hour used in all criminal and civil actions, time to be computed from the time selection of the jury is commenced through the judge's charge to the jury. Minimum fee two dollars.
Issuing transcript.	SEC. 82. Transcript—issuing, regular form, fifty cents; with ten cents per one hundred words additional for long form judgment, this in addition to the fifty cents.
Verification of papers.	SEC. 83. Verification of any paper on record or on file, five cents per one hundred words.
Docketing Widow's Year's Support.	SEC. 84. Widow's Year's Support docketing, report of allotment and judgment for deficiency—one dollar.
Probate of will.	SEC. 85. Will and Probate in common form, including affidavit of witnesses and order of probate—one dollar.
Witness certificate.	SEC. 86. Witness Certificate—ten cents each.
Compensation of jurors.	SEC. 87. Jurors' Compensation—all jurors sworn, impaneled and used in any court in Forsyth County shall be entitled to the sum of two dollars and fifty cents per day and mileage for one round trip each week at the rate of five cents per mile for their services; <i>provided</i> , that any person summoned as a tales juror or special venireman and not sworn, impaneled and used shall be entitled to one-half the compensation of jurors sworn, impaneled and used. Coroner's jurors shall receive the same compensation as regular jurors used in the court. They shall also receive the same mileage. Jurors serving in special proceedings before the clerk shall be entitled to one-half the compensation allowed regular jurors and the same mileage allowed regular jurors; <i>provided</i> , in the event said jurors shall be required to serve more than one-half day, then in that event they shall receive the same compensation as regular jurors for the days served.
Jurors, not sworn and used.	
Coroner's jurors.	
Jurors in special proceedings.	
Conflicting laws repealed.	SEC. 88. That all laws and clauses of laws in conflict with this Act are hereby repealed.
	SEC. 89. That this Act shall be in full force and effect from and after its ratification.
	In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 815

CHAPTER 374

AN ACT TO CREATE A LIVESTOCK COMMISSION FOR SWAIN COUNTY AND TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS TO PURCHASE PURE BRED STOCK.

The General Assembly of North Carolina do enact:

SECTION 1. That there is hereby created a Livestock Commission for Swain County to be composed of three members as follows: Bob Wiggins, Buren Jenkins, and A. L. Earls.

Livestock Commission, Swain County, created.

Members named.

The members herein named shall be appointed for a term of four years each, and their term of office shall take effect upon the ratification of this Act, and the members of said commission shall receive such sum for their services, in the discretion of the County Commissioners, not to exceed three dollars (\$3.00) per day and actual expenses when engaged in the performance of their duties.

Terms.

Compensation.

SEC. 2. That any and all vacancies by resignation, death or otherwise shall be filled by the Board of County Commissioners of Swain County.

Vacancy appointments.

SEC. 3. That the County Board of Commissioners of Swain County are hereby authorized to purchase not more than eight bulls, of such breed as may be decided on by the said Livestock Commission, and also the said board may purchase one jack. Said animals are to be used for the exclusive benefit of the stock raisers and citizens of Swain County and shall be and remain the property of said county.

Purchase of animals.

Use.

County property.

SEC. 4. That the said Livestock Commission herein created shall have full charge of the animals which are authorized to be purchased by the said Board of Commissioners of said county, and shall provide for the care, protection and control of said animals, and shall make such rules in accordance therewith as they may deem necessary.

Care and control of animals by Commission.

SEC. 5. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 6. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 816

CHAPTER 375

AN ACT TO REDUCE THE PENALTIES ON PAST DUE TAXES IN SWAIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the County Commissioners and tax collecting authorities of Swain County are hereby authorized, empow-

Commissioners, Swain County, directed to accept face value plus 4% penalty in settlement 1933, 1934 taxes.

Directed to accept face value, plus 6% penalty and costs, in settlement 1935, 1936 taxes.

Conflicting laws repealed.

ered and directed to receive from all persons, firms or corporations which owe taxes to Swain County, the face value of said taxes plus four per cent (4%) per annum penalty for the years one thousand nine hundred and thirty-three and one thousand nine hundred and thirty-four, and six per cent (6%) per annum penalty for the years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six and succeeding years, together with any and all costs including advertising and court costs which have already accrued or which may accrue against all persons, firms or corporations which owe taxes to Swain County.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 817

CHAPTER 376

AN ACT REGULATING THE MAKING OF BONDS IN CRIMINAL CASES IN BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

Bondsmen, before executing bonds in criminal cases, Buncombe County, required to comply with regulations prescribed.

Deposit with C. S. C. of \$1,000, in cash or government bonds.

Deposit subject to Judge's orders for payment of judgment against bondsman.

Bondsmen required to file financial statement with C. S. C.

Statements required monthly.

SECTION 1. That every person, firm, corporation or association by whatsoever name known which is, or may be, in the business of making and executing for hire or compensation any kind of appearance bonds, cost bonds, or bonds to stay execution for any person, or persons, charged with the violation, or violations, of the criminal laws of this state in or before any court of this state, or the court of any political subdivision thereof, shall before being permitted to execute any such bond or undertaking comply with the following provisions:

(a) It or they shall deposit, and keep on deposit, in the office of the Clerk of the Superior Court of said county in which it, or they, are engaged in business at least the sum of one thousand (\$1,000.00) dollars, either in cash or in State or Government Bonds, which shall at all times be subject to the orders of the Judge of the Superior Court for the payment and satisfaction of any judgment rendered against said surety or bondsman for any bond or undertaking executing such surety upon which judgment has been duly and regularly declared.

SEC. 2. Such person, firm, corporation or association engaging in the business of executing bonds and undertakings in criminal cases for hire, or who shall in any manner engage in such business shall file with the Clerk of the Superior Court a duly verified financial statement showing the financial condition of the said person, firm, corporation or association on the

first day of each month; said statement shall contain a list of all real and personal property, with a sufficient description thereof showing its location and the tax book value of the various and several items and parcels thereof. Said statement shall also show all encumbrances, if any, of whatsoever kind and nature existing upon the same, or any of the same, and shall give the names of such persons, firms, corporations or associations as may hold any notes, bonds or other evidences of indebtedness against the same.

Said statement shall also show by counties the amount and character of bonds which have been executed by it or them as bondsman, and shall also show by counties the amount of unpaid judgments, if any, which have been rendered against said bondsmen in any and all courts, including both judgments nisi and judgments absolute.

SEC. 3. That in case the statement of assets referred to in sections one and two of this Act shall include real property, the Clerk of the Superior Court is hereby authorized to appoint some competent attorney to examine the title to said real property and to require the person, firm, corporation or association making such criminal bonds to pay a reasonable compensation for the examination of said assets.

SEC. 4. No person, firm, corporation or association coming within the provisions of this Act shall be accepted as surety on any criminal bond in any of the courts to which this Act applies unless his or its statement of assets and liabilities satisfies the Clerk of the Superior Court that such person, firm, corporation or association is solvent and that said bond will be collectible, in case of forfeiture.

SEC. 5. That the court may at any time, for a good cause shown, order such further examination into the financial condition of bondsmen referred to in this Act, as to it may seem wise and just.

SEC. 6. This Act shall apply only to Buncombe County.

SEC. 7. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

List and value of property shown on statement.

Encumbrances and holders thereof shown.

Amount and character of bonds executed by bondsman shown.

Unpaid judgements shown.

C. S. C. authorized to appoint attorney to examine title to real estate of bondsman.

No bondsman to be surety on criminal bond unless determined solvent by C. S. C.

Court authorized to make further examination into financial condition of bondsmen.

Applies only to Buncombe County.

H. B. 821

CHAPTER 377

AN ACT RELATING TO THE SALARY OF THE DEPUTY CLERK AND ASSISTANT REGISTER OF DEEDS IN MONTGOMERY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That on and after April first, one thousand nine hundred and thirty-seven, the salary of the Deputy Clerk of the

Salaries, Deputy
Clerk of Court and
Assistant Register of
Deeds, Montgomery
County, increased.

Court and of the Assistant Register of Deeds of Montgomery County, be each increased to ninety dollars (\$90.00) per month.

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D., 1937.

H. B. 825

CHAPTER 378

AN ACT TO AMEND THE CHARTER OF THE TOWN OF CLAYTON, JOHNSTON COUNTY, NORTH CAROLINA, WITH RESPECT TO THE TIME THE TOWN OFFICIALS TAKE OFFICE AFTER THEIR ELECTION.

The General Assembly of North Carolina do enact:

Ch. 262, Private
Laws, 1899, Charter,
Town of Clayton,
amended.

SECTION 1. That in order to promote economy in the audit of the accounts of the various officers of the Town of Clayton, that chapter two hundred and sixty-two, Private Laws of one thousand eight hundred and ninety-nine, being the charter of the Town of Clayton, North Carolina, be and the same is hereby amended by striking out all of section twelve of said chapter and inserting in lieu thereof the following:

Time for taking
office by officials,
Town of Clayton,
fixed.

"Sec. 12. That all town officials elected at the regular election held in May, one thousand nine hundred and thirty-seven, and biennially thereafter, shall qualify and take office on the first Monday in July following such election. That the present officials of the Town of Clayton, North Carolina, shall hold office and continue to serve until the first Monday in July, one thousand nine hundred and thirty-seven. The said officers shall qualify, by taking the oath of office, before the mayor or a justice of the peace, as prescribed for commissioners of incorporated towns according to section fifteen, chapter three (one hundred and eleven) Battle's Revisal, and when organized, shall succeed to and have all the rights, powers and duties prescribed by law."

Present officials au-
thorized to serve
until July 1, 1937.

Qualification.

Powers and duties.

Conflicting laws
repealed.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 826

CHAPTER 379

AN ACT RELATING TO PAVING ASSESSMENTS IN THE
TOWN OF WAYNESVILLE, HAYWOOD COUNTY.*The General Assembly of North Carolina do enact:*

SECTION 1. That the governing body of the Town of Waynesville in the County of Haywood, be, and it is hereby authorized and empowered to remit any and all interest heretofore accrued on any paving assessment against property in said town, and it is also authorized and empowered to make such adjustments as to the amount of such assessments, as it may deem advisable, provided such assessments are paid on or before the first day of January, one thousand nine hundred and forty.

Governing body, Town of Waynesville, authorized to remit interest on, and make adjustments of assessments.

Conditioned on payment by Jan. 1, 1940.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 828

CHAPTER 380

AN ACT TO CREATE THE McDOWELL COUNTY CEN-
TENNIAL COMMISSION.*The General Assembly of North Carolina do enact:*

SECTION 1. There is hereby created the McDowell County Centennial Commission, which commission shall plan and carry out a celebration of the one hundredth anniversary of the creation of McDowell County in such way as they may decide is suitable and proper.

McDowell County Centennial Commission created.

SEC. 2. The following shall compose the McDowell County Centennial Commission herein created: Mrs. Jeanette Gilkey Cross, Mrs. Viola Justice, Mrs. W. R. Chambers, Mrs. Lona Goforth Lockridge, Miss Annie Laurie Blanton, Miss Annie Little, Miss Ruth Greenlea, Miss Lennie Stacy, Miss Margaret Morris, Miss Mary Burgin, Miss Rosa Stacy, W. W. Neal, Jr., M. L. Goode, Howard Hoover, P. J. Storey, Ashby Robinson, Zeb Lackey, Garver English, Jack James, Melvin Patton, A. B. Bradford, J. F. Snipes and Clarence Rabb.

Members named.

SEC. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 831

CHAPTER 381

AN ACT TO PROVIDE FOR THE ALLOCATION OF THE PROFITS FROM THE SALE OF LIQUOR IN GRANVILLE COUNTY IN THE EVENT LIQUOR STORES ARE LEGALIZED IN SAID COUNTY.

Preamble: Increased funds needed by municipalities, Granville County, for enforcement of liquor laws, if liquor stores operated.

Whereas, it is apparent that a large part of the enforcement of the liquor laws, if and when liquor stores are legalized and operated in Granville County in the manner now provided by law, will be upon the law enforcement officers of the several cities and towns in which liquor stores may be established and in order to provide funds by which this increase in the costs of policing the cities and towns in Granville County, which will necessarily result from the operation of liquor stores; *Now, Therefore*,

The General Assembly of North Carolina do enact:

25% net profit of liquor stores operated within respective municipalities, Granville County, payable to municipalities.

SECTION 1. That in the event liquor stores are legalized and operated in Granville County, the treasurer or auditor of said county shall at the end of each quarterly period, after an accounting has been received by him from the County Board of Alcoholic Control of Granville County, pay over to the treasurer or the proper officer entitled to the same, of each incorporated city or town within the county, twenty-five per cent of the net profit received by the county from the operation of liquor store or stores within such incorporated city or town. The County of Granville shall retain all profits derived from liquor stores operated outside of any incorporated city or town. The profits herein allocated shall go into the general funds of the said county and the said cities or towns, respectively, and may be expended as authorized or provided by law.

All profits from stores outside municipalities retained by County.

Profits payable into respective general funds.

Construction of Act.

SEC. 2. That nothing in this Act shall be construed to permit the sale of liquor in Granville County unless and until the same is made legal in the manner now provided by law.

Conflicting laws repealed.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 864

CHAPTER 382

AN ACT TO PROVIDE A SPECIAL DEPUTY SHERIFF OF YANCEY COUNTY AND FIX HIS COMPENSATION.

The General Assembly of North Carolina do enact:

F. R. Higgins appointed Special Deputy Sheriff, Yancey County.

SECTION 1. That F. R. Higgins be, and he is hereby appointed Special Deputy Sheriff for Yancey County, who shall perform

all of his duties in relation thereto under the direction of the Sheriff of Yancey County. His term of office to extend during the term of office of the present Sheriff of Yancey County. That for his services as such Special Deputy Sheriff he shall be paid by the Board of County Commissioners of Yancey County the sum of fifty dollars (\$50.00) per month, beginning on the first day of July, one thousand nine hundred thirty-seven, and he shall be paid monthly thereafter during his term of office as defined in this Act.

Term of office.

Compensation.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly of North Carolina read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 893

CHAPTER 383

AN ACT TO AMEND CHAPTER TWO HUNDRED TWENTY-SIX OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-FIVE, RELATING TO TAX SUPERVISOR AND TAX COLLECTOR FOR HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred twenty-six of the Public-Local Laws of one thousand nine hundred thirty-five, be, and the same is hereby amended by striking out the provision in section one of said Act providing for the appointment of a Tax Supervisor for Haywood County, and in lieu thereof, the Tax Supervisor authorized by said Act shall be nominated and elected at the next general election, as provided by law for nomination and election of county officers.

Ch. 226, Public-Local Laws, 1935, amended.

Nomination and election of Tax Supervisor, Haywood County.

SEC. 2. That said Act shall be further amended to change the salary provided in said section one of said Act to the sum of two thousand (\$2,000.00) dollars, per annum, payable monthly, which shall be in addition to the salary of any assistant or assistants to be appointed by the Board of Commissioners and the salary fixed by them.

Salary.

SEC. 3. That in lieu of the second semi-annual audit provided in section nine of said chapter two hundred twenty-six of the Public-Local Laws of one thousand nine hundred thirty-five the Board of Commissioners of Haywood County may cause said audit to be made as of September thirtieth of each year to be used in the settlement with the Tax Supervisor.

Annual audit.

Used in settlement with Tax Supervisor.

SEC. 4. That W. H. McCracken, be, and he is hereby appointed Tax Supervisor and Tax Collector for Haywood County until the first Monday of November, one thousand nine hundred thirty-

W. H. McCracken appointed Tax Supervisor and Tax Collector.

Salary.

nine or until his successor shall be elected and qualified, and he shall be paid by said county the sum of two thousand (\$2,000.00) dollars, per annum, payable monthly.

Conflicting laws repealed.

SEC. 5. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 6. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 900

CHAPTER 384

AN ACT TO PROTECT AGRICULTURAL FAIRS IN WILSON COUNTY AGAINST UNFAIR COMPETITION OF CARNIVALS AND CIRCUSES.

The General Assembly of North Carolina do enact:

Showing of carnivals, etc., or advertising such attractions, Wilson County, within 10 days prior to or during County Fair, prohibited.

SECTION 1. After the ratification of this Act, it shall be unlawful for any carnival or circus to show in Wilson County or advertise such attractions by posting bills or notices thereof within Wilson County at any time within ten days prior to the commencement of an agricultural fair within Wilson County or during the continuance of such fair.

Violation made misdemeanor.

SEC. 2. Any person violating the provisions of this Act shall be guilty of a misdemeanor and upon conviction shall be fined not more than fifty dollars or imprisoned for not more than thirty days.

SEC. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

S. B. 258

CHAPTER 385

AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO CHARGE FOR SEWER SERVICE OUTSIDE THE CITY OF CHARLOTTE AND TO PROVIDE PENALTIES FOR NON-PAYMENT FOR SUCH SERVICES.

The General Assembly of North Carolina do enact:

City of Charlotte authorized to furnish sewerage service to property owners beyond city limits.

SECTION 1. That the City of Charlotte is hereby authorized and empowered to permit owners of residences or industrial plants outside the limits of the City of Charlotte to connect to the sewerage system of said City of Charlotte and that the said city is hereby authorized and empowered to remove said sewerage through its system as is now done for residents of said city

and the said City of Charlotte is hereby authorized and empowered to make such reasonable charges for such service as may be set by the City Council; and that where said property is serviced by said sewerage system of the City of Charlotte and the city also furnishes water to said property that the said city is hereby authorized to add the said sewerage service to the water charges of any such user; and the city is hereby authorized to discontinue the service of water to any such user who fails to pay said sewerage charges and/or water charges within ten days from the due date thereof; and the said City of Charlotte may continue to refuse to furnish water to said user until said charges for water and sewerage services are paid in full.

SEC. 2. That where the property is served by sewerage service but not by city water, the City of Charlotte may make such reasonable charges for such sewerage service as may be set by the council and that any charges unpaid shall be a lien against said property until the same is paid and may be collected in the same manner as the lien for taxes is now collected.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 16th day of March, A.D. 1937.

Authorized to make reasonable charges for service.

Sewerage and water service furnished same property, chargeable to same account.

Discontinuance of water service authorized upon failure to pay sewerage or water charges.

Where city furnishes sewerage, but not water, service, unpaid charges made lien against property.

Conflicting laws repealed.

S. B. 282

CHAPTER 386

AN ACT TO PROVIDE RELIEF FOR PROPERTY OWNERS ALONG THE BEAUFORT-MARTIN COUNTY LINE.

Whereas, for a long period of time there has existed a dispute between the Counties of Martin and Beaufort as to the dividing line between said counties;

And Whereas, said dividing line between said counties has now been established by a decree in the suit of Beaufort County vs Martin County recently pending in the Superior Court of Beaufort County;

And Whereas, the location of said line under said decree may possibly cause certain lands heretofore considered to be in Martin County to become a part of Beaufort County, and likewise, may cause certain lands heretofore considered to be in Beaufort County to be located in Martin County;

And Whereas, it is the purpose of said suit to ratify and confirm all existing land titles along said line and that the title of no landowners should be effected by the location of said county line and the removal of his land from one county to the other:

Now, Therefore, in order that said matter may be legislatively determined and set at rest, *The General Assembly of North Carolina do enact*:

Preamble: Existence of dispute over line between Martin and Beaufort Counties.

Dividing line established recently by Court decree in law suit.

Certain lands formerly considered to be in one County, now in other County.

Purpose of said suit to confirm existing land titles along line.

Legislative determination.

Titles to land determined to be in Martin, instead of Beaufort County, ratified.

Titles to land determined to be in Beaufort, instead of Martin County, ratified.

No further claim for taxes by either County allowed if paid to County wherein land was formerly thought to lie.

Conflicting laws repealed.

SECTION 1. That the title of each landowner whose land was formerly considered as being in Beaufort County and by said location has been determined to be in Martin County, is hereby ratified and affirmed as fully in all respects and purposes as if said land continued to remain in Beaufort County; and further that the title of each landowner whose land was formerly considered as being in Martin County and which by said location has been determined to be in Beaufort County, is hereby ratified and affirmed as fully in all respects and purposes as if said land continued to remain in Martin County.

SEC. 2. That the payment by any person of taxes on land to the county in which it was thought his land was located prior to the location of said line, shall in all respects be as good and effectual as if said taxes had been paid to the county in which said land is determined to be by the location of said line and there shall be no further claim for such taxes by either county on such land.

SEC. 3. All laws and clauses of laws in conflict herewith are hereby repealed.

SEC. 4. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 16th day of March, A.D. 1937.

S. B. 287

CHAPTER 387

AN ACT TO AMEND CHAPTER FIVE HUNDRED THIRTY-EIGHT PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED ELEVEN, AS AMENDED BY CHAPTER EIGHT HUNDRED TWENTY-SIX PUBLIC-LOCAL LAWS ONE THOUSAND NINE HUNDRED THIRTEEN AND CHAPTER THREE HUNDRED SIXTY-NINE PUBLIC-LOCAL LAWS ONE THOUSAND NINE HUNDRED FIFTEEN, KNOWN AS MECKLENBURG COUNTY DRAINAGE LAW AND PROMOTING THE DRAINAGE OF STREAMS WITHIN THE CORPORATE LIMITS OF THE CITY OF CHARLOTTE.

The General Assembly of North Carolina do enact:

Ch. 538, Public-Local Laws, 1911, as amended by Ch. 826, Public-Local Laws, 1913, and Ch. 369, Public-Local Laws, 1915, amended.

SECTION 1. That chapter five hundred thirty-eight Public-Local Laws of one thousand nine hundred eleven as amended by chapter eight hundred twenty-six Public-Local Laws of one thousand nine hundred thirteen and chapter three hundred sixty-nine Public-Local Laws of one thousand nine hundred fifteen, commonly known as Mecklenburg Drainage Law, be, and the same hereby is, amended by adding the following sections thereto, to-wit:—

(a) That upon the adoption of a resolution or resolutions by

the governing body of the City of Charlotte requesting it so to do and upon provision for the payment of the costs of same having been made by the City of Charlotte and/or Mecklenburg County, Mecklenburg Drainage Commission shall be, and it hereby is, authorized and empowered to set up, organize and establish as a separate drainage district, or include as a part of any drainage district, under the jurisdiction of said Drainage Commission, and widen, deepen and dredge, any portion of any creek or stream lying within the corporate limits of the City of Charlotte as now established or hereafter extended, without any written petition therefor having been signed and/or filed by the owners of any of the lands located within said corporate limits and lying within one-quarter of a mile of both sides of that portion of such stream or creek within said corporate limits; and any such drainage district when so set up, established and organized shall be under the supervision and control of said Drainage Commission to the same extent as if written petitions therefor had been signed by the owners of the lands within said corporate limits included within such district; *provided, however*, that in such event no assessments shall be levied against any lands within any such district lying within the corporate limits of the City of Charlotte, and in cases where portions of any creek or stream lying without the corporate limits of said city and portions of any such stream or creek lying within the corporate limits of said city shall be included within one drainage district, in determining whether proper petitions have been signed and filed requesting the establishment of such district, the acreage and owners of the lands within such district so to be organized located within the corporate limits of said city shall not be considered, but it shall be sufficient for the establishment of any such district for a written petition therefor to have been filed by the owners of a majority of the acreage within such proposed district lying without said corporate limits.

(b) Upon it being found as a fact and embodied as a finding of fact in any resolution adopted by the governing body of the City of Charlotte and/or the governing body of Mecklenburg County that the widening, deepening and dredging of any portion of any stream and creek within the corporate limit of said city is necessary and/or desirable for the preservation or promotion of the health of the citizens of said city and/or county, and upon the inclusion of such portions of such stream or creek within a regularly organized district under the supervision of Mecklenburg Drainage Commission as hereinbefore authorized, the governing body of the said city and/or the governing body of the said county shall be, and they hereby are, fully authorized and empowered to expend such public funds under their control respectively and otherwise unappropriated or to levy a tax for the purpose of raising such funds and to expend same, in paying and defraying the costs, or such part thereof as such governing bodies respectively may deem advis-

Mecklenburg Drainage Commission authorized to establish drainage district within City of Charlotte upon City's request.

Authorized to widen, deepen, dredge any stream within City limits.

Drainage districts established, to be under control of Commission.

No assessments levied against lands within district in City.

Where proposed district comprises land within and without City, petition by owners of majority acreage without City, sufficient.

Expenditure of public funds.

Expenditures by City or County.

Tax levy authorized if necessary.

Expenditures by
Mecklenburg Drain-
age Commission.

Conflicting laws
repealed.

able for the public interests, of the widening, deepening and dredging of any portions of any stream or creek lying within the corporate limits of the City of Charlotte, such funds so to be expended to be turned over to, and the expenditure thereof administered by, Mecklenburg Drainage Commission upon its requisition.

SEC. 2. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed only to the extent of such conflict.

SEC. 3. This Act shall be in full force and effect from and after the date of its ratification.

In the General Assembly read three times and ratified, this the 16th day of March, A.D. 1937.

S. B. 304

CHAPTER 388

AN ACT TO AMEND CHAPTER FIVE HUNDRED FIFTY-NINE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-FIVE FOR THE PURPOSE OF MAKING SAID CHAPTER APPLY TO PITT COUNTY.

The General Assembly of North Carolina do enact:

Ch. 559, Public-
Local Laws, 1935,
amended, making
applicable to Pitt
County, law provid-
ing for creation of
school districts;
bond issue elec-
tions; etc.

SECTION 1. That chapter five hundred fifty-nine Public-Local Laws one thousand nine hundred thirty-five be and the same is hereby amended by adding to section eleven thereof after the words "Cleveland County," the words, "and Pitt County."

SEC. 2. That this Act shall be in full force and effect from and after the date of its ratification.

In the General Assembly read three times and ratified, this the 16th day of March, A.D. 1937.

S. B. 305

CHAPTER 389

AN ACT TO VALIDATE THE INDEBTEDNESS OF CERTAIN SPECIAL SCHOOL DISTRICTS IN PITT COUNTY CREATED FOR THE PURPOSE OF ERECTING SCHOOL BUILDINGS IN SAID DISTRICTS AND TO PERMIT SAID DISTRICTS TO REFUND THE INDEBTEDNESS CREATED FOR THE ERECTION OF SCHOOL BUILDINGS THEREIN.

Preamble: Special
school districts,
Pitt County,
created to issue
bonds for school
buildings.

Whereas, certain special school districts have been created in Pitt County for the purpose of issuing bonds and other evidences of indebtedness and for the erection of school buildings in said districts and for the further purpose of voting a special tax

levy for the retirement of said bonds and other evidences of indebtedness, issued by said districts; and

Whereas, said districts have had difficulties in meeting their obligations on said bonds and other evidences of indebtedness, and certain of them are now in default in meeting the payments due thereon; and *whereas* Pitt County, in order to aid and assist said districts and to prevent their further default in meeting their obligations, has made cash advancements to said districts for the purpose of enabling said districts to avoid further default and has made certain cash advancements for the purpose of erecting school buildings in said districts: *Now, Therefore,*

Districts having difficulty meeting bond obligations.

Advancements by Pitt County to aid districts.

The General Assembly of North Carolina do enact:

SECTION 1. That any and all advances heretofore made by Pitt County in cash to any and all special school districts in said county for the purpose of enabling said districts to meet the payments due on their bonded indebtedness, and for the further purpose of erecting school buildings in said districts, be and the same is hereby declared a binding obligation of said special districts, and the Pitt County Board of Education is hereby authorized and empowered to refund the indebtedness of said districts incurred for the erection of school buildings therein, whenever the same may be advantageous to said districts; *provided, however*, the refunding of said indebtedness shall not require the levy of a greater tax rate than that already voted for the purpose of retiring the indebtedness of said districts created for the purpose of erecting school buildings therein; *provided, further*, that nothing in this Act shall be construed to prevent the governing body of Pitt County from making a county-wide levy for the payment of all district debt service.

Advances by Pitt County to special school districts to pay bonds, etc. declared binding obligation of districts.

County Board of Education authorized to refund indebtedness.

Greater tax rate than already voted, not authorized.

County-wide levy for payment of all district debt service, not prevented.

SEC. 2. That this Act shall be in full force and effect from and after the date of its ratification.

In the General Assembly read three times and ratified, this the 16th day of March, A.D. 1937.

S. B. 317

CHAPTER 390

AN ACT TO AMEND THE CHARTER OF THE CITY OF HICKORY.

The General Assembly of North Carolina do enact:

SECTION 1. That Article VIII of chapter sixty-eight of the Private Laws of North Carolina, session one thousand nine hundred and thirteen, be amended by adding the following additional sections:

Art. 8, Ch. 68, Private Laws, 1913, amended.

"SEC. 18. The City Council is authorized and empowered to

Hickory City Council authorized to widen certain streets, sidewalks, etc.

Bond issue authorized.

Council authorized to close public alleys.
Notice and hearing.

Upon disagreement over purchase price or damages, Sec. 16, Art. 8, Ch. 68, Private Laws, 1913, applicable.

Conflicting laws repealed.

widen the streets and sidewalks on Union Square, to purchase all buildings and lands the council deems advisable for such purposes, and to issue serial bonds for the payment of the properties purchased.

"SEC. 19. The amount and maturity dates of the bonds shall be fixed by the City Council in its discretion, and it shall not be necessary to submit the issuance of the bonds to a vote of the citizens.

"SEC. 20. The City Council shall have authority to close any public alleys that it may deem advisable. Before such action is taken, notice shall be given to the adjoining property owners of a public hearing.

"SEC. 21. In the event the City and the owners of the properties proposed to be purchased or the owners of property adjoining alleys proposed to be closed, cannot agree upon the purchase price or the amount of damages such adjoining property owners may sustain, then the provisions of section sixteen, Article VIII of chapter sixty-eight of the Private Laws of North Carolina, session one thousand nine hundred and thirteen, shall apply."

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 3. This Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 16th day of March, A.D. 1937.

S. B. 333

CHAPTER 391

AN ACT TO PROVIDE FOR THE EXERCISE OF POWERS BY POLICE OFFICERS AND FIREMEN OF THE CITY OF CHARLOTTE ON PROPERTY BEYOND CITY LIMITS OF CHARLOTTE OWNED BY SAID CITY.

The General Assembly of North Carolina do enact:

Jurisdiction of police and fire departments, Charlotte, extended over City property outside limits.

Conflicting laws repealed.

SECTION 1. That the members of the city police and fire departments shall have all the power and authority on property owned by the said City of Charlotte which is without the boundaries of the said City of Charlotte as now exercised by said policemen and firemen as provided by law within the city limits of Charlotte.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby specifically repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 16th day of March, A.D. 1937.

S. B. 337

CHAPTER 392

AN ACT TO AUTHORIZE THE ALCOHOLIC BEVERAGE CONTROL BOARD OF PITT COUNTY TO EXPEND NOT MORE THAN TWENTY PER CENT OF PROFITS FROM OPERATIONS FOR ENFORCEMENT PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. That the Alcoholic Beverage Control Board of Pitt County, or their successors in office, shall be authorized to expend for enforcement of provisions of the Alcoholic Beverage Control Act of one thousand nine hundred and thirty-seven, a sum not less than five per cent nor more than twenty per cent of the total profits to be determined by quarterly audits from the operation of stores in said county. In the expenditure of said funds, said board shall employ one or more persons to be appointed by and directly responsible to said board. If said board, in its discretion, finds it is desirable to do so, a part of said funds may be paid to any municipality in said county to assist such municipality in paying the salary, or salaries, of an officer, or officers, employed in enforcing the provisions of said Act. This Act shall apply only to Pitt county.

SEC. 2. All laws and parts of laws in conflict herewith are hereby repealed, particularly section (o) of the Alcoholic Beverage Control Act of one thousand nine hundred and thirty-seven, in so far only as the same may apply to Pitt County, and the foregoing provision substituted in lieu thereof.

SEC. 3. This Act shall be in effect from and after its ratification.

In the General Assembly read three times and ratified, this the 16th day of March, A.D. 1937.

Pitt County Alcoholic Beverage Control Board authorized to spent minimum 5%, maximum 20%, of profits, for law enforcement.

Allocation of funds for enforcement to municipalities.

Applies only to Pitt County.

Sec. (o), 49 Public Laws, 1937, and other conflicting laws, repealed as to Pitt County.

S. B. 363

CHAPTER 393

AN ACT TO VALIDATE THE PAYMENT OF CERTAIN FEES PAID BY THE CLERKS OF THE RECORDERS COURT OF SAMPSON COUNTY, AND TO PERMIT THE BOARD OF COMMISSIONERS OF SAMPSON COUNTY TO MAKE AN APPROPRIATION TO SAID COURT TO COVER THE LOSS OF CERTAIN FUNDS IN THE CLOSED COUNTY DEPOSITORY.

Whereas, the Clerk of the Recorders Court of Sampson County, at the time the Bank of Sampson closed on June twentieth, one thousand nine hundred thirty-one, had funds of said court on deposit in said bank; and

Whereas, the various clerks of said court, since that time, have used other monies of said office in paying off witness and other fees due at the time the said bank closed; and

Preamble: Sampson County Recorder's Court funds on deposit in Bank of Sampson, when bank closed.

Other moneys of Clerk's office used to pay fees due.

Clerk's bonds technically liable.

Whereas, the bonds of the various clerks are technically liable for the loss and use of said funds; Now, Therefore,

The General Assembly of North Carolina do enact:

Clerks, Sampson Recorder's Court, released from liability for funds lost in closed bank.

SECTION 1. That the Clerks of the Recorders Court of Sampson County, who have served since June twentieth, one thousand nine hundred thirty-one, and the sureties on their bonds, are hereby released from any and all liability arising out of the loss of funds of the said court in the Bank of Sampson, the insolvent county depository; and that the payment of witness and other fees, due at the time the said bank closed and payable out of the funds deposited in said bank, out of other funds of said court by the various clerks since the said bank closed, is hereby validated; and the Board of Commissioners of Sampson County is hereby authorized and empowered to make an appropriation to the Recorders Court of Sampson County to cover the loss incurred by said court by reason of the closing of the said bank.

Payment of fees out of other funds validated.

Appropriation by Commissioners to cover loss, authorized.

Conflicting laws repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 16th day of March, A.D. 1937.

H. B. 367

CHAPTER 394

AN ACT PROHIBITING THE SALE OF WINE OR BEER IN MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

Sale of wine and beer, Mitchell County, prohibited.

SECTION 1. That it shall be unlawful for any person, firm or corporation to sell or offer for sale any wine or beer in Mitchell County.

Violation made misdemeanor.

SEC. 2. That any person violating any of the provisions of this Act shall be guilty of a misdemeanor and upon conviction shall be fined not more than fifty dollars or imprisoned not exceeding thirty days.

Conflicting laws repealed.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 16th day of March, A.D. 1937.

H. B. 431

CHAPTER 395

AN ACT TO PROHIBIT THE SALE OF BEER, WINE, AND OTHER INTOXICATING BEVERAGES WITHIN THE CORPORATE LIMITS OF THE TOWN OF BLACK MOUNTAIN IN BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That from and after the first day of July, one thousand nine hundred thirty-seven, it shall be unlawful for any person, firm or corporation to engage in the sale of beer, light wines, or any other intoxicating beverages within the corporate limits of the Town of Black Mountain in Buncombe County.

Sale of intoxicating beverages within Black Mountain corporate limits, prohibited after July 1, 1937.

SEC. 2. Every person, firm, or corporation violating the provisions of this Act shall be guilty of a misdemeanor, and upon conviction, shall be fined or imprisoned within the discretion of the court.

Violation made misdemeanor.

SEC. 3. All laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 4. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 16th day of March, A.D. 1937.

H. B. 432

CHAPTER 396

AN ACT TO PROHIBIT THE SALE OF BEER, LIGHT WINES, OR OTHER INTOXICATING BEVERAGES WITHIN ONE MILE OF THE SOUTHERN RAILWAY STATION IN THE VILLAGE OF SWANNANOA.

The General Assembly of North Carolina do enact:

SECTION 1. That from and after the first day of July, one thousand nine hundred thirty-seven, it shall be unlawful for any person, firm, or corporation to engage in the sale of beer, light wines, or other intoxicating beverages within one mile of the Southern Railway Station in the village of Swannanoa in Buncombe County.

Sale of intoxicating beverages within mile of railway station, Swannanoa, prohibited after July 1, 1937.

SEC. 2. Every person, firm, or corporation violating the provisions of this Act shall be guilty of a misdemeanor, and upon conviction, shall be fined or imprisoned within the discretion of the court.

Violation made misdemeanor.

SEC. 3. All laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 4. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 16th day of March A.D. 1937.

H. B. 650

CHAPTER 397

AN ACT TO AUTHORIZE AND EMPOWER CARTARET COUNTY TO ADJUST ITS INDEBTEDNESS.

The General Assembly of North Carolina do enact:

Carteret County Commissioners authorized to adjust County indebtedness.

Funding or refunding notes or bonds authorized.

Commissioners authorized to deal with creditors, jointly or severally.

Commissioners granted full power to execute and fulfill adjustment agreement.

Authorized to issue funding, or refunding or exchange bonds, notes, etc.

Adjustment plan subject to approval of Resident District Judge, except where adjustment made with creditors individually.

Powers granted declared additional to existing powers.

Conflicting laws repealed.

SECTION 1. That the County of Carteret, acting by and through its Board of Commissioners, is hereby vested with power and authority to adjust with its creditors, and by mutual agreement, its indebtedness, including both principal and interest, through compromise settlement or otherwise, and whether to be evidenced by cash payment or payments, in whole or in part, or by funding or refunding notes or bonds or by any other legal evidence or evidences of indebtedness, and upon such terms and conditions as may be mutually agreed upon between the Board of Commissioners and negotiating creditor or creditors; and that said creditors, in the discretion of the Board of Commissioners, may be dealt with severally or jointly, individually or collectively, as their respective interests may appear, and in accordance with mutual agreement had.

SEC. 2. That for the execution and fulfillment of any agreement or plan for the settlement or adjustment of said indebtedness, whether made and/or concluded in whole or in part, as may be so agreed upon between the parties to the plan or agreement, the Board of Commissioners of Carteret County is vested with all power and authority necessary, proper and expedient, including the authority to issue funding, refunding or exchange bonds, notes, or other evidences of indebtedness, and in such amounts, denominations, maturity dates and interest rates as may be so agreed upon between the parties.

SEC. 3. That, except where by mutual agreement settlement or adjustment is made with creditors individually, before any such plan or agreement shall become effective, such plan or agreement first shall be submitted, as upon case agreed or submission of controversy without action, to the Resident Judge of the Fifth Judicial District of North Carolina, and by him approved, either at term or in chambers in said district.

SEC. 3½. The provisions of this Act shall be construed to mean additional powers granted to the Board of County Commissioners and not in substitution of any powers conferred on said board by any other law, and they may proceed with a refunding plan under this Act or under any state-wide law which may be in effect, as they may elect.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 5. This Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 16th day of March A.D. 1937.

H. B. 701

CHAPTER 398

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF JONES COUNTY TO EMPLOY SOME PERSON TO ADMINISTER HOG CHOLERA SERUM AND VIRUS IN JONES COUNTY (APPLICABLE ALSO TO CARTERET COUNTY).

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Jones County on the recommendation of the County Demonstration Agent, be, and they are hereby authorized and empowered, if they deem it advisable, to secure and employ some person or persons qualified to administer cholera serum or virus to the hogs in Jones County.

Commissioners, Jones County, authorized to employ person to administer cholera serum or virus to hogs.

SEC. 2. That the cost of the serum shall be paid for by the owner of the hogs.

Cost.

SEC. 3. That upon the outbreak of cholera in Jones County the Board of County Commissioners shall have the power to quarantine such outbreak until the same has been cleared up, or to designate and empower some person to perform such duty and to enforce the quarantine.

Quarantine.

SEC. 4. That any person who shall violate the quarantine orders shall be guilty of a misdemeanor and punished by fine or imprisonment in the discretion of the court.

Violation of quarantine orders made misdemeanor.

SEC. 5. That the provisions of this Act shall also apply to Carteret County.

Applies also to Carteret County.

SEC. 6. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 7. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 16th day of March A.D. 1937.

H. B. 759

CHAPTER 399

AN ACT APPOINTING A BOARD OF EDUCATION FOR ASHE COUNTY

The General Assembly of North Carolina do enact:

SECTION 1. That Dr. R. C. Ray, Dr. R. F. Barr, and Austin Jones, be, and they are hereby appointed a Board of Education for Ashe County, each for a term of two years, beginning from the ratification of this Act. The terms of the present members of the Board of Education shall end upon the qualification of the above named members and the said Dr. R. C. Ray, Dr. R. F. Barr, and Austin Jones shall be the only members of said Board of Education for the ensuing period of two years and until their successors are appointed and qualified.

Board of Education, Ashe County, appointed. Terms.

Expiration of terms of present members.

Immediate meeting
and organization by
board directed.

Election of County
Superintendent of
Schools.

Term of office.

Compensation of
Board members and
County Superin-
tendent.

Conflicting laws
repealed.

SEC. 2. That immediately upon the ratification of this Act the said members of said Board of Education shall meet and organize and on the first Monday in April, one thousand nine hundred thirty-seven, or as soon thereafter as practical, shall elect a County Superintendent of Schools, subject to the approval of the State Superintendent of Public Instruction and the State School Commission, who may immediately qualify and assume the duties of said office and shall serve for a period of two years or until his successor is duly elected and qualified.

SEC. 3. That said Board of Education shall receive the compensation now provided by law, and the County Superintendent of Schools elected by said board shall receive the compensation now provided by law, or such additional compensation as the General Assembly at this session may provide.

SEC. 4. That all laws and clauses of law, local, special, or general, in conflict with the provisions of this Act, so far as the same affect Ashe County, be, and the same are hereby repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 16th day of March A.D. 1937.

H. B. 807

CHAPTER 400

AN ACT AUTHORIZING THE BOARD OF COMMISSIONERS OF THE TOWN OF AULANDER TO ELECT AND EMPLOY A CLERK, TAX COLLECTOR, CHIEF OF POLICE AND OTHER OFFICERS.

The General Assembly of North Carolina do enact:

Employment of Town
Clerk and other
town officials, Town
of Aulander, au-
thorized.

SECTION 1. That the Commissioners of the Town of Aulander, Bertie County, North Carolina, are hereby empowered to elect and employ a town clerk who shall also be clerk of the Board of Town Commissioners, tax collector, chief of police, and all other officers and employees which in their judgment they may deem wise, proper or necessary, for the performance of the duties and functions of the Town of Aulander and the maintenance of town properties and operations.

Commissioners,
Town of Aulander,
authorized to pre-
scribe duties of
town officials.

SEC. 2. That the said commissioners and their successors in office shall have authority to prescribe the duties of the said town clerk, tax collector, chief of police and other officials to be named, not inconsistent with the general laws of the State of North Carolina; to allow such compensation as in their judgment may be proper and wise; and to make said compensation out of the funds belonging to the Town of Aulander not otherwise appropriated.

To fix and pay
compensation.

Election of one
person for two or
more positions au-
thorized.

SEC. 3. That the said commissioners may elect and employ one person to any two or more of the offices or positions named in section one of this Act.

SEC. 4. That the said commissioners shall have power and authority to require of any or all officers of the Town of Aulander such bond as in their judgment is commensurate with the responsibilities of their position.

Bond required.

SEC. 5. That the clerk, tax collector, chief of police, and all other officers of the Town of Aulander shall have the power and authority as vested in them by the general laws of the State of North Carolina, by the charter and ordinances of the Town of Aulander, and by the Board of Commissioners of said town; and that all authority, rights and powers of the chief of police, and of all other police officers of the Town of Aulander and the judicial authority and power of the mayor of said town shall extend over an area to be formed by a circle with a radius of two miles from the center of the intersection of Main and Commerce Streets in the Town of Aulander.

Powers of town officials.

Jurisdiction of police, mayor, etc. extended.

SEC. 6. If any part of this Act shall be declared unconstitutional it shall not affect any other part of this Act.

Partial invalidity provision.

SEC. 7. All laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 8. This Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 16th day of March A.D. 1937.

H. B. 824

CHAPTER 401

AN ACT TO CREATE THE OFFICE OF TAX COLLECTOR FOR THE COUNTY OF MARTIN.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of the County of Martin is hereby authorized and empowered in its discretion to create the office of tax collector, and to appropriate money for its maintenance, and said board is hereby authorized to appoint a tax collector, whose compensation and term of office shall be fixed by the said board and said commissioners, in their discretion, and said tax collector shall be responsible for the collection and settlement, as provided by law, for all taxes in Martin County, whether general, special or privilege taxes.

Creation of office of Tax Collector, Martin County, authorized.

Appointment of Tax Collector.

Compensation and term.

Duties.

Said tax collector, herein provided for, shall be vested with the same power and authority, and subject to the same penalties and conditions as are now or may hereafter be given by the state to sheriffs in the collection of taxes, licenses, fees, penalties, and other revenue.

Powers.

That in addition to the foregoing duties, the Board of Commissioners is hereby authorized, in its discretion, to confer upon said tax collector the duty of collecting all delinquent taxes, fees, penalties, and other revenues that the sheriff may now have the power and authority to collect.

Collection of delinquent taxes.

Commissioners
granted full control
over tax collector.

Salary fixed by
Commissioners.

Fees and commis-
sions payable into
general funds.

Bond required.

Premiums paid by
County.

Commissioners au-
thorized to combine
office of tax col-
lector with other
office.

Upon tax collector's
qualification, sheriff,
Martin County, re-
lieved of tax collect-
ing duties.

Sheriff directed
to continue collection
of 1936 taxes.

Construction
of Act.

Conflicting laws
repealed.

SEC. 2. That the Board of Commissioners shall have complete control over said tax collector with power to discharge without notice and shall fix his compensation and pay therefor out of the general funds of said county. Said commissioners are authorized to pay said tax collector a salary or commissions or pay part salary and part commission as, in their judgment, is for the best interest of the county.

Any fees or commissions allowed the sheriff or tax collector, under the laws now in force or hereinafter enacted, shall be turned over to the general funds of the county.

SEC. 3. That said Board of Commissioners shall require of such tax collector bonds conditioned as now required by law of the sheriff in his capacity as tax collector; the amount of said bonds to be fixed by the Board of Commissioners and the premiums on said bonds to be paid by the county out of its general funds.

SEC. 4. That Board of Commissioners may, in its discretion, combine the office of tax collector with any other elective or appointive office, and may, in its discretion, appoint such elective or appointive officer as tax collector in addition to his other duties, and one such person may hold both offices.

SEC. 5. That upon the creation of the aforementioned office of tax collector and the appointment of tax collector, and upon the qualification of such tax collector and upon his assuming the duties of said office, the Sheriff of Martin County shall thereupon be relieved from any and all duties devolving upon him in the collection of taxes, fees, licenses and other revenues; but the Sheriff of Martin County shall continue to collect and account for all taxes for the year one thousand nine hundred thirty-six, as the law now provides.

SEC. 6. That nothing in this Act shall be construed as requiring the Board of Commissioners of Martin County to appoint such tax collector or to create such office, but this Act is merely for the purpose of allowing said Board of Commissioners of Martin County to do so if, in their discretion, they think same will be wise and proper for the best interest of said county.

SEC. 7. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 8. That this Act shall be in full force and effect from and after its ratification, except as herein otherwise specified.

In the General Assembly read three times and ratified, this the 16th day of March A.D. 1937.

H. B. 857

CHAPTER 402

AN ACT TO AMEND HOUSE BILL NUMBER THREE HUNDRED AND NINETEEN, RATIFIED ON THE TWENTY-SEVENTH DAY OF FEBRUARY, ONE THOUSAND NINE HUNDRED AND THIRTY SEVEN, AND PERTAINING TO THE APPLICATION OF ARTICLE TWENTY OF CHAPTER FIFTY-SIX OF THE CONSOLIDATED STATUTES OF NORTH CAROLINA TO SAID HOUSE BILL NUMBER THREE HUNDRED AND NINETEEN.

The General Assembly of North Carolina do enact:

SECTION 1. Section three of House Bill number three hundred and nineteen, ratified on the twenty-seventh day of February, one thousand nine hundred and thirty-seven, said section three being entitled "Article XIV—Civil Service," is hereby amended as follows:

H. B. 319, Ch. 144,
Public-Local Laws,
1937, amended.

(a) "Section one of said Article XIV is hereby amended by striking out the last sentence of said section one and inserting in lieu thereof the following words: 'Each of the two major political parties may have at least one member of said Commission.'

Each of two major
political parties as-
sured of at least one
member of High
Point Civil Service
Commission.

(b) "The first sentence of section two of said Article XIV is hereby amended by striking out the words 'the five' between the words 'appointment' and 'Commissioners' and by inserting in lieu thereof the words 'a quorum of the.'

Election of Chair-
man by quorum.

(c) "Section three of said Article XIV is hereby amended by adding thereto the following sentence: 'In the event any person appointed as a member of the Civil Service Commission by the Council of the City of High Point shall fail or refuse to qualify by taking the oath (or affirmation) required by this section within three days after such appointment, the Council of the City of High Point may appoint another member to fill the vacancy created by such failure or refusal to qualify.'"

Replacing appointees
failing to qualify.

SEC. 2. House Bill number three hundred and nineteen, ratified on the twenty-seventh day of February, one thousand nine hundred and thirty-seven, is hereby further amended by adding thereto a section numbered three (a) and as follows:

Law amended
further.

"Section three (a). This Act shall be subject to amendment or repeal in accordance with the provisions of Article Twenty, chapter fifty-six, of the Consolidated Statutes of North Carolina entitled 'Amendment and Repeal of Charter,' but the provisions of said Article Twenty of chapter fifty-six shall not be invoked to repeal or amend this Act before the lapse of fifteen months following its ratification; nor after the expiration of twenty months following its ratification. All elections held under the provisions of this Act shall be initiated, called and conducted only by the Municipal Board of Elections provided for by the Charter of the City of High Point, being chapter one hundred and seven of the Private Laws of one thousand nine hundred and thirty-one, as amended."

Act subject to
amendment or repeal
in accord with Ch.
56, Consolidated
Statutes.

Ch. 56, C. S., not
invokable before 15
months, nor after 20
months, from rati-
fication this Act.

Elections.

Acts of High Point City Council and Civil Service Commission, under H. B. 319, validated.

Conflicting laws repealed.

SEC. 3. All acts heretofore taken by the Council of the City of High Point and the Civil Service Commissioners appointed and qualified pursuant to House Bill number three hundred and nineteen are hereby ratified and confirmed.

SEC. 4. All laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 16th day of March A.D. 1937.

H. B. 880

CHAPTER 403

AN ACT RELATING TO THE PAYMENT OF TAXES IN THE TOWN OF SPRING HOPE, NASH COUNTY.

The General Assembly of North Carolina do enact:

Aldermen, Town of Spring Hope, authorized to cancel penalties, etc. on delinquent 1935 and prior taxes.

Condition.

Conflicting laws repealed.

SECTION 1. That the Board of Alderman of the Town of Spring Hope, Nash County, be and they are hereby authorized and empowered, in their discretion, to cancel all penalties, interest and cost on all delinquent taxes due the said town for the year one thousand nine hundred and thirty-five and prior thereto provided said taxes shall be paid on or before the first day of January, one thousand nine hundred and thirty-nine.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 16th day of March A.D. 1937.

H. B. 885

CHAPTER 404

AN ACT TO PERMIT THE SALE AND USE OF HOG CHOLERA VIRUS IN PENDER COUNTY UNDER CERTAIN CONDITIONS.

The General Assembly of North Carolina do enact:

Farm Demonstration Agent, Pender County, authorized to sell or use hog-cholera virus.

Compensation.

SECTION 1. That the Farm Demonstration Agent of Pender County or any of his assistants shall be authorized, permitted and licensed to sell or use virulent blood from hog-cholera-infected hogs or virus, in Pender County, and shall be paid such compensation as recommended by the Board of County Commissioners of Pender County.

SEC. 2. That the provisions of section four thousand four hundred ninety-two of the Consolidated Statutes of North Carolina, and of section four thousand eight hundred seventy-nine of the Consolidated Statutes of North Carolina, shall not apply to any person distributing, selling or using virulent blood from hog-cholera-infected hogs or virus in Pender County with the written permission of the Farm Demonstration Agent of Pender County.

Secs. 4492, 4879, C. S., not applicable to persons selling or using hog-cholera virus, Pender County.

Written permission of Farm Demonstration Agent, necessary.

Applies to Pender County only.

SEC. 3. That this Act shall apply only to Pender County.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this Act to the extent of such conflict are hereby repealed.

Conflicting laws repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 16th day of March A.D. 1937.

H. B. 896

CHAPTER 405

AN ACT TO REGULATE THE SELLING OF MERCHANDISE ON SUNDAY IN THE COMMUNITY OF ATLANTIC, CARTERET COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons, firm or corporation to keep open on Sundays any store, shop, garage or filling station for the purpose of selling or offering for sale any goods, wares, merchandise, drinks, gasoline or oil during the hours of ten A. M. to twelve noon and from six-thirty P. M. to eight P. M.

Sale of merchandise on Sunday during certain hours, in community of Atlantic, prohibited.

SEC. 2. That this Act shall apply only to the community of Atlantic, Carteret County, extending from Styron's Bay to Hall's Point in said county.

Applies only to Atlantic, Carteret County.

SEC. 3. Any person, firm or corporation violating this Act shall be guilty of a misdemeanor and fined or imprisoned or both in the discretion of the court.

Violation made misdemeanor.

SEC. 4. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 16th day of March A.D. 1937.

H. B. 905

CHAPTER 406

AN ACT TO AMEND CHAPTER SEVENTY-THREE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-THREE, RELATIVE TO THE ISSUANCE OF BONDS AND INCURRING OF INDEBTEDNESS BY TOWNS AND MUNICIPALITIES IN ASHE COUNTY.

The General Assembly of North Carolina do enact:

Ch. 73, Public-Local Laws, 1933, amended, striking out limitation on borrowing by Ashe County municipalities.

Applies to Ashe County only.

Conflicting laws repealed.

SECTION 1. That chapter seventy-three of the Public-Local Laws of one thousand nine hundred and thirty-three, be, and the same is hereby amended as follows: by striking out section three of said chapter in its entirety.

SEC. 2. That this Act shall apply to Ashe County only.

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 16th day of March A.D. 1937.

H. B. 916

CHAPTER 407

AN ACT TO AMEND HOUSE BILL TWO HUNDRED SIXTY-TWO, RATIFIED MARCH FIRST, ONE THOUSAND NINE HUNDRED THIRTY-SEVEN, RELATING TO THE PREPARATION OF TAX BOOKS IN HYDE COUNTY.

The General Assembly of North Carolina do enact:

H. B. 262, Ch. 169, Public-Local Laws, 1937, amended.

Listing and assessment of taxes, Hyde County.

Duties, Register of Deeds, confined to preparation of tax books, etc., after assessment and levy.

Conflicting laws repealed.

SECTION 1. That the Act entitled "An act relating to the Preparation of Tax Books in Hyde County," enacted at this session of the General Assembly, House Bill number two hundred sixty-two, be, and the same hereby is amended by adding at the end of section one thereof the following:

"*Provided*, that the Board of Commissioners of Hyde County shall continue to have the authority and responsibility for the listing and assessing of taxes in Hyde County in the manner now prescribed by law, or prescribed in the Machinery Act of one thousand nine hundred thirty-seven, and that the duties of the Register of Deeds shall be confined to preparing the tax books and the tax receipt books after said taxes have been assessed and levied, as now prescribed by law."

SEC. 2. That all laws and clauses of laws in conflict herewith are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 16th day of March A.D. 1937.

H. B. 951

CHAPTER 408

AN ACT TO AMEND THE LAW IN REGARD TO THE
RECORDER'S COURT IN HOKE COUNTY.*The General Assembly of North Carolina do enact:*

SECTION 1. That sections one thousand five hundred fifty-five, one thousand five hundred seventy-two, one thousand five hundred ninety-two, one thousand five hundred ninety-three, one thousand five hundred ninety-four, and one thousand five hundred ninety-five, of the Consolidated Statutes, shall not apply to the Recorder's Court heretofore organized in Hoke County.

Certain Sections of Consolidated Statutes not applicable to Recorder's Court, Hoke County.

SEC. 2. That in all criminal trials in the Recorder's Court of Hoke County, upon the demand for a jury by the defendant, the recorder shall require a deposit of nine dollars (\$9.00) by the defendant to cover the cost of the jury, said deposit to be refunded in case of acquittal, or the recorder shall transfer said trial to the Superior Court of Hoke County, and the defendant shall execute a new bond in such amount as named by the recorder for his appearance at the next term of Superior Court for Hoke County.

Recorder authorized to require deposit by defendant, for cost of jury trial, in criminal cases.

Refunded in case of acquittal.

Alternative.

SEC. 3. That if a jury trial is demanded by either plaintiff or defendant in a civil action pending in the Recorder's Court of Hoke County, the recorder shall require a deposit of nine dollars (\$9.00) by the party asking for a jury, the same to be a part of the bill of cost, or the recorder shall immediately transfer said case to the Superior Court of Hoke County.

Recorder authorized to require deposit of party demanding jury trial, for costs, civil actions.

Alternative.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 16th day of March, A.D. 1937.

H. B. 1176

CHAPTER 409

AN ACT CREATING AN AGRICULTURAL, BREEDERS'
AND RACING COMMISSION IN THE COUNTY OF
ROWAN IN THE STATE OF NORTH CAROLINA AND
PROVIDING FOR AN ELECTION THEREON.*The General Assembly of North Carolina do enact:*

SECTION 1. That there is hereby created an Agricultural, Breeders' and Racing Commission for the County of Rowan, State of North Carolina, consisting of three members to exercise and administer the power and authority hereinafter set forth, which commission established shall for the first term consist of the following citizens of Rowan County, North Carolina, to-wit: W. C. Coughenour, Chairman, E. G. Thompson and Edgar Montgomery, all three of said persons being of Rowan County, North Carolina.

Agricultural, Breeders' and Racing Commission, Rowan County, created.

Members named.

Terms.	The term of office of said commissioners W. C. Coughenour, E. G. Thompson and Edgar Montgomery shall be for a period of four years each from the date of ratification of this Act, and their successors in office shall be appointed by the Legislature with the approval of a majority of the members of the Board of County Commissioners for Rowan County, North Carolina, for terms of four years each: <i>Provided, however,</i> that any vacancy occurring in said commission by reason of death or inability to serve, or otherwise, in such event such unexpired term of office shall be filled by the remaining members of such commission: <i>Provided, further,</i> that at all times at least two members of such commission shall be residents of Rowan County, North Carolina.
Successor appointments.	
Vacancy appointments.	
At least 2 members resident in Rowan County required.	
Salaries.	The salaries of each member of the commission shall not be less than one thousand dollars (\$1,000.00) per annum, nor more than five thousand dollars (\$5,000.00) per annum, said salaries to be determined and fixed by a committee of three, consisting of the chairman of the commission herein created, the Chairman of the Board of County Commissioners, and a duly authorized representative of the corporation to whom the franchise or privilege hereinafter referred to is granted.
Organization of Commission.	After the creation of the commission by the enactment of this Bill by the Legislature of North Carolina, the members of said commission herein appointed will meet at their convenience as soon as possible thereafter and organize by electing one of their members as vice-chairman and the other treasurer, said treasurer before entering upon his duties as such is to give a bond in the sum of five thousand dollars (\$5,000.00) for the faithful performance of his duty.
Bond required of treasurer.	
Employment of secretary authorized.	The commission shall have full power and authority to employ or otherwise secure in their discretion a secretary for the commission, the salary of such secretary to be designated by the commission and also to employ or otherwise secure such legal and clerical assistance as the commission shall deem necessary and all salaries and expenses of the commission shall be borne and paid as hereinafter set out.
Salary.	
Legal and clerical assistance authorized.	
Commission designated "Rowan County Agricultural, Breeders' and Racing Commission."	The commission herein appointed shall be known and designated as the Rowan County Agricultural, Breeders' and Racing Commission and shall exercise its authority and act both generally and specifically by and under such name.
Commission authorized to grant franchise for construction and operation of race course.	SEC. 2. The commission herein appointed shall have full power and authority to grant to any association duly incorporated under the laws of North Carolina, a franchise or privilege for a term of years not less than five, nor more than ten, to construct, own, lease, operate and maintain a race course or driving park for trotting, pacing and running races for horses and dogs in the manner hereinafter set out:
Corporations entitled to franchise.	(a) No franchise or privilege shall be granted by the commission to any corporation, except one created especially for the purpose of improving and promoting the breeding of qual-

ity horses and dogs and racing them and others from time to time; and

(b) That said corporation have sufficient capitalization and financial resources to satisfy the commission, that it is financially able to comply with all the rules and regulations of the commission and is fully able to financially and otherwise maintain and operate its properties in accordance with such rules and regulations as the commission shall from time to time prescribe; and

(c) That as a prerequisite to the issuance of a franchise or privilege, the said corporation desiring said franchise or privilege shall at the time of making application thereof pay to the said commission for the use and benefit of Rowan County the following charges or fees:

First. For the franchise or privilege sought to be granted the minimum sum of one hundred dollars (\$100.00), and in the event the said corporation shall desire a franchise or privilege for more than the minimum period allowed by this Act, such corporation shall pay in addition to the minimum fee of one hundred dollars (\$100.00) and an additional fee of one hundred dollars (\$100.00) for each additional year, and in the event said franchise or privilege is refused, the said fee shall be returned to the applicant, otherwise said fee shall be forthwith paid into the treasury of Rowan County; and

Second. In the event such franchise or privilege is granted said corporation, the said corporation shall also pay to the commission for the use and benefit of Rowan County for each day or part of day during which said corporation conducts races or racing, a sum equivalent to ten per cent of the gross receipts of the corporation derived from all operations connected with or incident to the operation of such races or racing conducted during such day or part of day. In no event, however, the amount so to be paid to exceed the amount of five thousand dollars (\$5,000.00) per day, and said amount to be paid in addition to such tax as may be now or hereafter fixed by law.

(d) In addition to the foregoing fees all costs and expenses of the Agricultural, Breeders' and Racing Commission shall be borne by the corporation holding a franchise from said commission and if more than one corporation shall hold a franchise, the costs and expenses of said commission shall be prorated among the corporations holding franchises.

SEC. 3. That when the commission shall have granted a franchise or privilege as aforesaid to any corporation as aforesaid, the said corporation is hereby fully authorized and empowered to legally construct, build, lease, carry on, maintain and operate a park, driving ground or race course in Rowan County, outside the corporate limits of Salisbury, North Carolina, and to conduct and to maintain therein horse and dog races: *Provided, however,* that no race or racing shall be conducted on Sunday and no race or racing shall begin or commence before the hour

Financial requirements.

Payment of charges prerequisite to issuance of franchise.

Minimum charge of \$100 for franchise for minimum period.

Additional fee.

Fee returned, if franchise refused.

Corporation granted franchise required to pay to Commission 10% gross receipts from racing operations.

Maximum payment. In addition to taxes.

Costs and expenses of Commission borne by corporation holding franchise.

Construction and operation of racing course in Rowan County.

Horse and dog races authorized.

No Sunday races.

No races before
one, p. m.

Pari mutuel machines
or appliances au-
thorized.

Regulations as
to operation.

Franchise granted,
irrevocable during
corporations' com-
pliance with Com-
mission's regula-
tions.

Franchise not trans-
ferable except by
Commissions' con-
sent.

Regulations by
Commission.

Violation made
misdemeanor.

Election provided.

Date.

Appointment of
registrar and judges.

Election held under
general laws.

Time limited for
calling election.
Results determined
by majority of
votes cast.

Prerequisites for
further election in
event majority vote
against Act.

of one P. M., Eastern Standard Time, and such corporation is hereby expressly granted full power and authority to operate and maintain what is generally known as "Pari Mutuel Machines or Appliances" of the kind employed and in use at recognized racing courses in America: *Provided, however,* that said Pari Mutuel Machines and Appliances shall only be maintained and operated within the enclosure of said park, driving grounds or race courses, and only on days or parts of days when races or racing is being therein conducted, and it shall be legal for any and all persons twenty-one years of age legally within the enclosure of said park, driving grounds or race courses while said park, driving grounds, or race courses are open for racing, to participate in the operation, or become a patron of said Pari Mutuel Machines and Appliances.

(a) Any franchise or privilege granted by the commission to any corporation under the provisions of this Act shall be and remain irrevocable so long as said corporation complies with the terms and provisions of said franchise and complies with the rules and regulations of the said commission promulgated from time to time and set forth in its contracts: *Provided, however,* that no franchise granted to any corporation by said Agricultural, Breeders' and Racing Commission shall be transferred or assigned to any other corporation except by and with the written consent of the commission first obtained.

SEC. 4. That the commission herein appointed shall have full power and authority to adopt such rules and regulations as it may from time to time deem necessary to properly carry out the intentions of this Act, and any violations of any of the rules and regulations of the commission by any corporation holding a franchise or by any of its officers, agents or employees shall be a misdemeanor.

SEC. 5. That this Act shall apply only to Rowan County and shall be in full force and effect when and after an election has been duly called and held by the Rowan County Board of Elections on a date to be designated by said Rowan County Board of Elections, with full power to said Board of County Elections to appoint a registrar and two judges in each voting precinct in Rowan County, and said election shall be held, as near as practicable, under the general election laws of the State of North Carolina, said election shall be called and held within six months from the ratification of this Act, and this Act shall be in full force and effect if a majority of the votes cast in said election have declared in favor of said Act. At said election those who favor the adoption of this Act will vote "For creating an Agricultural, Breeders' and Racing Commission" and those who are opposed to the adoption of this Act will vote "Against creating an Agricultural, Breeders' and Racing Commission." In the event that a majority of the ballots cast are not in favor of this Act, then the Rowan County Board of Elections cannot hold another election under this Act until six months have ex-

pired from the date of said previous election and a petition has been submitted to them requesting another election signed by at least one thousand five hundred of the qualified voters in Rowan County. The entire expenses of holding the election or elections under this Act shall be borne by the proponents of this Act and no part of the expenses for holding said election or elections shall be borne by the County of Rowan.

Proponents of Act required to bear expenses of holding elections.

SEC. 6. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 7. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 16th day of March, A.D. 1937.

H. B. 399

CHAPTER 410

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF CAMDEN COUNTY TO LEVY A TAX NOT TO EXCEED FIVE CENTS ON THE ONE HUNDRED DOLLAR VALUATION OF PROPERTY TO MEET NECESSARY EXPENSES INCURRED IN THE TRIAL OF THE CASE OF STATE VS. McPHERSON.

Whereas, that in the trial of the case of State vs. McPherson, which was a murder case and which necessarily incurred expenses; and

Preamble: Necessary expenses incurred in trial of case of: "State vs. McPherson," Camden County.

Whereas, that there being no available funds to meet said expenses; *Now, Therefore*,

No funds available for payment.

The General Assembly of North Carolina do enact:

SECTION 1. That the County Commissioners of Camden County, be, and they are hereby authorized and empowered, in their discretion, to levy a tax not to exceed five cents (5c) on the one hundred dollar valuation of property to meet the said expenses incurred in the trial of the case of State vs. McPherson.

Commissioners, Camden County, authorized to levy tax to meet expenses of trial of "State vs. McPherson."

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 17th day of March, A.D. 1937.

H. B. 523

CHAPTER 411

AN ACT TO CREATE AND MAKE AN OPEN SEASON FOR
THE HUNTING OF FOXES IN CASWELL COUNTY.*The General Assembly of North Carolina do enact:*

Hunting foxes,
Caswell County,
except in July and
August, lawful.

Conflicting laws
repealed.

SECTION 1. That it shall be lawful to hunt foxes in Caswell County, except for the months of July and August of each calendar year.

SEC. 2. That all laws or parts of laws in conflict with this Act are hereby repealed insofar as they affect this Act.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 17th day of March, A.D. 1937.

H. B. 695

CHAPTER 412

AN ACT TO REQUIRE ALL PERSONS BUYING POULTRY
FOR RESALE TO KEEP A RECORD OF PURCHASES,
AND PREVENTING PURCHASES AFTER SUNDOWN IN
HYDE COUNTY.*The General Assembly of North Carolina do enact:*

Purchase of poultry
for resale, Hyde
County, prohibited,
unless records kept
of purchases and
other data.

Records subject to
inspection by Peace
Officers.

Purchases between
sunset and sunrise,
prohibited.

Violation made
misdemeanor.

Applies also to
Yadkin County.

Conflicting laws
repealed.

SECTION 1. That it shall be unlawful for any person to purchase, barter or exchange, for the purpose of resale, any poultry in Hyde County, unless such person shall keep in book form a record of all such purchases, showing therein the name of the person from whom the purchase is made, the date of purchase, the number purchased, and a reasonable description thereof, including the colors and types of poultry purchased. Said record shall be open for inspection by any Peace Officer of Hyde County at any time, and it shall be unlawful for any person to purchase for resale any poultry in Hyde County after sundown and before sunrise. Any person violating the provisions of this Act shall be guilty of a misdemeanor and fined or imprisoned in the discretion of the court.

SEC. 2. That the provisions of this Act shall apply also to Yadkin County.

SEC. 3. All laws and parts of laws in conflict herewith are hereby repealed.

SEC. 4. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 17th day of March, A.D. 1937.

H. B. 799

CHAPTER 413

AN ACT TO AMEND CHAPTER ONE HUNDRED NINETY-SEVEN, PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-FIVE, IT BEING AN ACT TO AMEND THE CHARTER OF THE TOWN OF AULANDER, RELATING TO THE BOUNDARIES OF SAID TOWN.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred ninety-seven of the Private Laws of one thousand nine hundred thirty-five be amended by striking out the period at the end of section one thereof, substituting therefor a semi-colon, and adding thereto the following: "*and provided further*, there is excepted from the above designated boundaries the following described land: Beginning in the line running from the east point to the north point of the boundaries of the Town of Aulander, as designated above (in section one of chapter four hundred twenty-four of the Private Laws of one thousand nine hundred and thirteen), at a point where the said line running from the east point to the north point, as aforesaid, crosses the public road running from Aulander to Hexalena and known as the "Brick Mill Road," going thence along the aforesaid "Brick Mill Road," in a north-westerly direction to the dividing line between the lands of the late W. J. Harrell's "Rice farm" and the lands of the late M. E. Rice's farm, going thence along the dividing line between the said two tracts of land in a southerly direction to a marked tree, a corner for Herbert Jenkins, going thence in an easterly direction to the east point in the boundary of the town, as aforesaid, and going thence in northerly direction along the line running from the north point to the east point, as aforesaid, to the point of beginning."

Ch. 197, Private Laws, 1935, amended.

Boundaries of Town of Aulander changed by excepting land described.

SEC. 2. This Act is and shall be in addition to and shall not be affected by any other Act relating to the boundaries of the Town of Aulander, either already or hereafter passed at this session of the General Assembly.

Construction of Act.

SEC. 3. If any part of this Act shall be declared unconstitutional, it shall not affect any other part of this Act.

Partial invalidity provision.

SEC. 4. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 5. That this Act shall be in force and effect after its ratification.

In the General Assembly read three times and ratified, this the 17th day of March, A.D. 1937.

H. B. 803

CHAPTER 414

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF THE TOWN OF AULANDER TO ISSUE BONDS TO REFUND OUTSTANDING BONDED INDEBTEDNESS.

The General Assembly of North Carolina do enact:

Commissioners,
Town of Aulander,
authorized to issue
refunding bonds.

Bonds to be re-
funded, enumerated.

Denominations,
interest rate, ma-
turity dates.

Approval by Local
Government Com-
mission.
Execution.

Sale.

Special tax levy
authorized.

Powers conferred by
Act declared addi-
tional to existing
powers.

Conflicting laws
repealed.

Partial invalidity
provision.

SECTION 1. The Board of Commissioners of the Town of Aulander are hereby authorized to issue and sell bonds of the Town of Aulander to an aggregate principal amount not exceeding one hundred and seventy thousand dollars, for the purpose of refunding the following outstanding bonded indebtedness of the town and for the purpose of funding all unpaid interest which shall have accrued thereon at the time of the issuance of refunding bonds: 5¾% Water and Sewer Bonds under date of November first, one thousand nine hundred and twenty-four, numbers, 9, 10, 11, 12, 13, 14, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 39, 40, 41, 42, 43, 44, 45, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95; 5½% Street Bonds under date of July first, one thousand nine hundred and twenty-five, numbers, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 21, 22, 23, 24, 26, 29, 31, 32, 40; 6% Sidewalk Bonds under date of January first, one thousand nine hundred and twenty-six, numbers, 3, 4, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25. Such bonds shall be in denominations of one thousand dollars each, and shall bear such rate of interest, not exceeding six per cent, and run for such time or times, not exceeding thirty years from their date, as the said Board of Commissioners may determine and the Local Government Commission may approve, and shall be signed by the Mayor of the Town of Aulander and by the Clerk of the said Board of Commissioners. The said bonds shall be sold as directed by the general laws of North Carolina.

SEC. 2. In order to pay the interest on the said bonds and to pay them or to create a sinking fund for the purpose of paying them at maturity, the said Board of Commissioners shall annually, at the time of levying other taxes, levy a sufficient special tax on the taxable property in the town.

SEC. 3. The powers conferred by this Act are additional to any other powers conferred by and are not affected by any limitations imposed by any other Act, including Acts already or hereafter passed at this session of the General Assembly; and that all laws and clauses of laws in conflict with this Act are hereby repealed, in so far as they apply to the Town of Aulander.

SEC. 4. If any part of this Act shall be declared unconstitutional, it shall not affect any other part of the Act.

SEC. 5. This Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 17th day of March, A.D. 1937.

H. B. 805

CHAPTER 415

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF THE TOWN OF AULANDER TO ISSUE FUNDING BONDS.

The General Assembly of North Carolina do enact:

SECTION 1. The Board of Commissioners of the Town of Aulander, Bertie County, North Carolina, are hereby authorized to issue and sell bonds of said town to an aggregate principal amount not exceeding fifteen thousand dollars, for the purpose of funding outstanding and unpaid indebtedness of the town incurred for the necessary expenses thereof prior to the first day of March, one thousand nine hundred and thirty-seven. Such bonds shall be in denominations of one thousand dollars each, and shall bear such rate of interest, not exceeding six per cent, and run for such time or times, not exceeding thirty years from their date, as the Board of Commissioners may determine and the Local Government Commission may approve, and shall be signed by the Mayor of the Town of Aulander and by the Clerk of the said Board of Commissioners. The said bonds shall be sold as directed by the general laws of North Carolina.

SEC. 2. In order to pay the interest on the said bonds and to pay them or to create a sinking fund for the purpose of paying them at maturity, the said Board of Commissioners shall annually, at the time of levying other taxes, levy a sufficient special tax on the taxable property in the town.

SEC. 3. The powers conferred by this Act are additional to any other powers conferred by and are not affected by any limitations imposed by any other Act, including Acts already or hereafter passed at this session of the General Assembly; and that all laws and clauses of laws in conflict with this Act are hereby repealed, in so far as they apply to the Town of Aulander.

SEC. 4. If any part of this Act shall be declared unconstitutional, it shall not affect any other part of the Act.

SEC. 5. This Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 17th day of March, A.D. 1937.

Commissioners,
Town of Aulander,
authorized to issue
and sell funding
bonds.

Denominations,
interest rate, ma-
turity dates.

Approval by Local
Government Com-
mission.
Execution.

Sale.

Special tax levy
authorized.

Powers conferred by
Act declared ad-
ditional to existing
powers.

Conflicting laws
repealed.

Partial invalidity
provision.

H. B. 813

CHAPTER 416

AN ACT TO AMEND CHAPTER ONE HUNDRED AND SIXTY OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-FIVE, AMENDING THE CHARTER OF THE TOWN OF MOUNT AIRY.

The General Assembly of North Carolina do enact:

Ch. 160, Private
Laws, 1925,
amended.

Town of Mt. Airy
divided into two
wards, for election
of Commissioners.

Territory, Ward
No. 2, described.

Territory, Ward
No. 1, described.

Commissioners au-
thorized to fix and
change voting pre-
cincts.

Conflicting laws
repealed.

SECTION 1. That chapter one hundred and sixty of the Private Laws of North Carolina of the session one thousand nine hundred and twenty-five, be, and the same is hereby amended in manner and to the extent following: Strike out all of section six and insert in lieu thereof the following: "That there shall be two wards in the Town of Mount Airy and in each of which ward there shall be elected two town commissioners and one town commissioner shall be voted for and elected by both wards by a popular vote; that all of that territory within the corporate limits of said town which lies south of Franklin Street and a straight line from the terminus of Franklin Street to Lovill's Creek and that territory on the north side of Main Street from its intersection with Franklin Street south to Cherry Street and from the intersection of Main and Cherry Streets in a straight line to the Ararat River shall be ward number two; and that all other territory within the said corporate limits of the said Town of Mount Airy shall be known as ward number one; that the voting precincts in ward number one and ward number two shall be fixed by the Board of Commissioners of the Town of Mount Airy and may be changed from time to time after giving notice thereof by advertisement published in one or more newspapers published in the Town of Mount Airy for at least two successive weeks before the call of any election."

SEC. 2. That all laws and clauses of laws in conflict herewith are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 17th day of March, A.D. 1937.

H. B. 832

CHAPTER 417

AN ACT TO REGULATE THE QUADRENNIAL REASSESSMENT OF REAL ESTATE IN MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

Commissioners,
Mitchell County,
directed to determine
method of real prop-
erty valuation.

SECTION 1. That the Board of Commissioners of Mitchell County shall meet on the first Monday in April, one thousand nine hundred thirty-seven, and determine whether or not the real estate of the county shall be revalued by horizontal increase or reduction or by continuing the present valuation as

listed; and the said Board of Commissioners of Mitchell County is hereby authorized and empowered to revalue the real estate of Mitchell County by horizontal increase or reduction or by the appointment of assessors and appraisers as set out in general law covering the quadrennial re-assessment of real estate, or by continuing the present value of real estate as listed.

Commissioners authorized to revalue property by horizontal increase or reduction, etc.

Authorized to continue present values.

SEC. 2. That said Board of Commissioners of Mitchell County is further authorized and empowered to increase or decrease the assessed value of any parcel of real estate in said county for the purpose of taxation where, in their judgment, it is not on a parity with the general level of assessed values in said county. The said commissioners, before increasing the assessed value of any parcel of real estate, shall cause notice to be given to the owner of the time and place that the matter will be considered, to the end that said owner may appear before said Board of Commissioners and present any facts that he may have relative to the question of whether or not the assessed value of his property should be increased.

Commissioners authorized to equalize tax values.

Before increase of assessment, notice to property owner and opportunity of hearing, required.

SEC. 3. That all laws and clauses of laws in conflict herewith are hereby repealed.

Conflicting laws repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 17th day of March, A.D. 1937.

H. B. 843

CHAPTER 418

AN ACT REGULATING SUNDAY SALES IN JOHNSTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm or corporation to keep open any store or other place of business for the sale of goods, wares or merchandise during the hours usually designated as church and Sunday school hours on Sunday in Johnston County.

Sale of merchandise on Sunday, during church and Sunday school hours, Johnston County, prohibited.

SEC. 2. That it shall be unlawful for any person, firm or corporation to sell or offer for sale any beer and/or wine at any place in Johnston County on Sunday.

Sale of beer and wine on Sunday, Johnston County, prohibited.

SEC. 3. That any person violating any of the provisions of this Act shall be guilty of a misdemeanor and upon conviction shall be fined not less than five nor more than fifty dollars or imprisoned not more than thirty days and for each subsequent offense he shall be fined not less than twenty-five nor more than fifty dollars or imprisoned not more than thirty days.

Violation made misdemeanor.

Penalty for subsequent offenses.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 17th day of March, A.D. 1937.

H. B. 865

CHAPTER 419

AN ACT TO PROVIDE FOR THE DIVISION OF PROFITS WHICH MAY BE DERIVED FROM ANY STORE THAT MAY BE HEREAFTER ESTABLISHED BY AN ELECTION IN LEE COUNTY UNDER THE PROVISIONS OF THE ALCOHOLIC BEVERAGE CONTROL ACT, CHAPTER FORTY-NINE, PUBLIC LAWS ONE THOUSAND NINE HUNDRED THIRTY-SEVEN.

The General Assembly of North Carolina do enact:

Profits from liquor stores established in municipalities, Lee County, divided between county and respective municipalities.

SECTION 1. That if hereafter there shall be by election established in Lee County a store or stores for the sale of alcoholic beverages under the provisions of the Alcoholic Beverages Control Act, chapter forty-nine, Public Laws one thousand nine hundred thirty-seven, pursuant to any election that may be held thereunder, the net profits arising therefrom shall be divided between said county and any incorporated town in which said store or stores may be maintained, in the proportion of sixty per centum thereof to said county and forty per centum thereof to the said incorporated town in which the same is maintained and operated.

60% allocated to county; 40% to municipalities.

Conflicting laws repealed.

SEC. 2. That all laws and clauses of laws in conflict herewith are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 17th day of March, A.D. 1937.

H. B. 870

CHAPTER 420

AN ACT TO REGULATE THE QUADRENNIAL RE-ASSESSMENT OF REAL ESTATE IN ASHE COUNTY.

The General Assembly of North Carolina do enact:

Commissioners, Ashe County, directed to determine method of real property valuation.

SECTION 1. That the Board of Commissioners of Ashe County shall meet on the first Monday in April, one thousand nine hundred thirty-seven, and determine whether or not the real estate of the county shall be revalued by horizontal increase or reduction or by continuing the present valuation as listed; and the said Board of Commissioners of Ashe County is hereby authorized and empowered to revalue the real estate of Ashe Coun-

ty by horizontal increase or reduction or by the appointment of assessors and appraisers as set out in the general law covering the quadrennial re-assessment of real estate, or by continuing the present value of real estate as listed.

Authorized to continue present values.

SEC. 2. That said Board of Commissioners of Ashe County is further authorized and empowered to increase or decrease the assessed value of any parcel of real estate in said county for the purpose of taxation where, in their judgment, it is not on a parity with the general level of assessed values in said county. The said commissioners, before increasing the assessed value of any parcel of real estate, shall cause notice to be given to the owner of the time and place that the matter will be considered, to the end that said owner may appear before said Board of Commissioners and present any facts that he may have relative to the question of whether or not the assessed value of his property should be increased.

Commissioners authorized to equalize tax values.

Before increase of assessment, notice to property owner and opportunity of hearing, required.

SEC. 3. That all laws and clauses of laws in conflict herewith are hereby repealed.

Conflicting laws repealed.

SEC. 4. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 17th day of March, A.D. 1937.

H. B. 884

CHAPTER 421

AN ACT TO PROVIDE FOR THE DISTRIBUTION OF PROFITS FROM THE OPERATION OF LIQUOR STORES IN CALDWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. From the profits of any liquor stores which are or may hereafter be operated in Caldwell County, the treasurer of said county shall, at the end of each quarterly period after an accounting has been received by him from the County Board of Alcoholic Control, pay over to the treasurer of each incorporated city or town within the county twenty-five per cent of the net profits received by the county from the operation of a liquor store or stores within such incorporated city or town. The County of Caldwell shall retain all profits derived from liquor stores operated outside the corporate limits of any incorporated city or town.

Division of profits from liquor stores, between Caldwell County and municipalities therein.

All profits from stores outside municipalities retained by County.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 17th day of March, A.D. 1937.

H. B. 886

CHAPTER 422

AN ACT TO PROVIDE FOR THE DISTRIBUTION OF PROFITS FROM THE OPERATION OF LIQUOR STORES IN PENDER COUNTY.

The General Assembly of North Carolina do enact:

Division of profits from liquor stores, between Pender County and municipalities therein.

SECTION 1. From the profits of any liquor stores which are or may hereafter be operated in Pender County, the treasurer of said county shall, at the end of each quarterly period after an accounting has been received by him from the County Board of Alcoholic Control, pay over to the treasurer of each incorporated city or town within the county thirty-three and one-third per cent of the net profits received by the county from the operation of a liquor store or stores within such incorporated city or town. The County of Pender shall retain all profits derived from liquor stores operated outside the incorporate limits of any incorporated city or town.

All profits from stores outside municipalities retained by County.

Conflicting laws repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 17th day of March, A.D. 1937.

H. B. 926

CHAPTER 423

AN ACT TO REGULATE THE DRAWING OF GRAND JURORS IN ONSLOW COUNTY.

The General Assembly of North Carolina do enact:

Selection of Grand Jurors, Onslow County.

Staggered terms.

SECTION 1. That on the first Monday in July, one thousand nine hundred and thirty-seven, the Board of County Commissioners of Onslow County be, and are hereby, empowered to draw, in the manner prescribed by law, nine (9) Grand Jurors to serve for a period of six months and nine (9) to serve for a period of twelve months, and that thereafter, on the first Monday in January and July, the said Board of County Commissioners shall draw nine (9) Grand Jurors to serve for a period of twelve months.

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 17th day of March, A.D. 1937.

H. B. 933

CHAPTER 424

AN ACT TO PROVIDE FOR THE ALLOCATION OF THE PROFITS FROM THE SALE OF LIQUOR IN GUILFORD COUNTY IN THE EVENT LIQUOR STORES ARE LEGALIZED IN SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That in the event liquor stores are legalized and operated in Guilford County, the treasurer of said county shall, at the end of each quarterly period after an accounting has been received by him from the County Board of Alcoholic Control, pay over to the treasurer of each incorporated city or town within the county one-half of the net profit received by the county from the operation of liquor store or stores within such incorporated city or town. The County of Guilford shall retain all profits derived from liquor stores operated outside of any incorporated city or town. The profits herein allocated shall go into the general funds of the said county and said cities or towns, respectively, and may be expended as authorized or provided by law.

Division of profits from liquor stores, between Guilford County and municipalities therein.

All profits of stores outside municipalities retained by County.

Profits payable into respective general funds.

SEC. 2. The Sheriff of Guilford County shall be charged with the duty of cooperating with the County Board of Alcoholic Control in the enforcement of liquor laws and the County Board may, in the exercise of its discretion, spend as much as ten per cent of the county's share of profit derived from the operation of liquor stores in employing deputy sheriffs to work under the direction of the Sheriff of Guilford County in the enforcement of liquor laws.

Sheriff, Guilford County, directed to cooperate in liquor law enforcement.

Expenditures for enforcement.

SEC. 3. That nothing in this Act shall be construed to permit the sale of liquor in Guilford County unless and until the same is made legal in the manner now provided by law.

Construction of Act.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 17th day of March, A.D. 1937.

H. B. 944

CHAPTER 425

AN ACT RELATING TO SALARIES AND FEES OF THE OFFICERS OF THE TOWN OF TABOR CITY.

The General Assembly of North Carolina do enact:

SECTION 1. That all fines and forfeitures collected by the Mayor or Mayor's Court and all fees collected by any peace officer employed by the Town of Tabor City shall be deposited in the general fund of the Town of Tabor City.

Fines, etc. collected by Mayor; fees collected by peace officers, Tabor City, deposited in general fund.

Mayor and peace officers placed on salary.

Salaries fixed by Town Commissioners.

Conflicting laws repealed.

SEC. 2. That the Mayor and all peace officers of the Town of Tabor City shall be placed on a salary.

SEC. 3. That the salary of all officers of the Town of Tabor City shall be set by the Board of Commissioners of said town.

SEC. 4. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 5. This Act shall be in full force from and after its ratification.

In the General Assembly read three times and ratified, this the 17th day of March, A.D. 1937.

H. B. 945

CHAPTER 426

AN ACT RELATING TO NOMINATION AND ELECTION OF COUNTY COMMISSIONERS OF CHOWAN COUNTY.

The General Assembly of North Carolina do enact:

Nomination of Chowan County Commissioners.

One nominated by voters of each of 4 townships.

One by voters of county at large.

Election by county-wide vote.

SECTION 1. That at the next primary election to be held in Chowan County in one thousand nine hundred and thirty-eight, and biennially thereafter, there shall be nominated five commissioners for said county; one from each township to be nominated by the voters of each of the four townships in said county, and one to be nominated by the voters of the county at large; and the five candidates so nominated shall be elected by the qualified voters of the entire county at the election following the nomination.

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 17th day of March, A.D. 1937.

H. B. 947

CHAPTER 427

AN ACT FIXING THE SALARY OF THE SHERIFF OF ALAMANCE COUNTY AT TWENTY-FIVE HUNDRED DOLLARS PER ANNUM AND EXPENSE ALLOWANCE AT ELEVEN HUNDRED DOLLARS.

The General Assembly of North Carolina do enact:

Salary, Sheriff of Alamance County.

Expense allowance.

SECTION 1. That on and after April first, one thousand nine hundred and thirty-seven, the Sheriff of Alamance County shall receive an annual salary of twenty-five hundred dollars (\$2500.00) together with an expense allowance of eleven hundred dollars (\$1100.00), payable in monthly installments.

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 17th day of March, A.D. 1937.

H. B. 952

CHAPTER 428

AN ACT TO DIVIDE THE PROFITS FROM THE OPERATION OF LIQUOR STORES IN RICHMOND COUNTY.

Whereas, the General Assembly of North Carolina has passed an Act known as chapter — of the Public Laws of the session of one thousand nine hundred thirty-seven authorizing the establishment of an Alcoholic Beverage Control Board for the different counties of the state, *provided* the qualified voters of the various counties ratify such action by an election as provided for in said Act; and

Whereas, if such election is had in Richmond County and the establishment of an Alcoholic Beverage Control Board is authorized by said election, and liquor stores established, it will necessitate the expenditure of additional sums of money by the Town of Rockingham and the Town of Hamlet to insure the proper enforcement of the provisions of the said liquor law; and

Whereas, the enforcement of law in Richmond County at the present time vests in the office of the Sheriff of Richmond County, who holds his office on a fee basis and pays his own deputies, Richmond County paying no part of the expenses of said sheriff's office; and

Whereas, the citizens of the Town of Rockingham and Town of Hamlet are desirous of properly enforcing the liquor laws as set forth in said Act; *Now, Therefore*,

The General Assembly of North Carolina do enact:

SECTION 1. That the profits arising from any liquor store operated within the corporate limits of the Town of Rockingham shall be divided by the Alcoholic Beverage Control Board of Richmond County equally between the Town of Rockingham and Richmond County.

SEC. 2. That the profits arising from any liquor store operated within the corporate limits of the Town of Hamlet shall be divided by the Alcoholic Beverage Control Board of Richmond County equally between the Town of Hamlet and Richmond County.

SEC. 3. That any and all revenues received by the Town of Rockingham and the Town of Hamlet from the operation of liquor stores shall be general fund revenues, but the same may be used to pay any other expenses of said towns.

SEC. 4. That the governing board of the Town of Rockingham and the governing board of the Town of Hamlet shall appropriate a suitable and sufficient amount of the said profits to insure the proper enforcement of the said liquor laws in each respective town.

SEC. 5. That this Act shall apply to any other incorporated town or city in said County of Richmond that may have an Alcoholic Beverage Control store.

Preamble: Alcoholic Beverage Control Act passed by 1937 General Assembly.

Additional expenditure by Rockingham and Hamlet necessary for law enforcement, if liquor stores established, Richmond County.

No part of expenses of Sheriff's office, paid by Richmond County.

Proper enforcement of liquor laws desired.

Division of Rockingham liquor-store profits between Richmond County and Rockingham.

Division of Hamlet liquor-store profits between Richmond County and Hamlet.

Use of revenues.

Appropriations for proper enforcement of liquor laws, directed.

Applies to other municipalities in Richmond County having liquor store.

Applies only to
Richmond County.
Conflicting laws
repealed.

SEC. 6. This Act shall apply only to Richmond County.
SEC. 7. That all laws and clauses of laws in conflict with this Act are hereby repealed.
SEC. 8. That this Act shall be in full force and effect from and after its ratification.
In the General Assembly read three times and ratified, this the 17th day of March, A.D. 1937.

H. B. 954

CHAPTER 429

AN ACT TO AUTHORIZE WAKE COUNTY TO PAY TO THE RECORDERS COURTS NOW ESTABLISHED IN WAKE COUNTY CERTAIN COSTS IN CASES IN WHICH DEFENDANTS ARE SENTENCED TO PRISON.

The General Assembly of North Carolina do enact:

Wake County made
liable for one-half
costs, when defend-
ant sentenced by
any Recorder's Court
in County to work
on State roads.

SECTION 1. Whenever under any judgment of any Recorders Court now established in Wake County any defendant is sentenced to work on the roads of the state under the direction of the State Highway and Public Works Commission, then the county shall be liable for and shall pay to the Clerk of the Recorders Court sentencing the prisoner, one-half the amount of the costs taxed in the cause.

Conflicting laws
repealed.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby, to the extent of such conflict, repealed.

SEC. 3. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified this the 17th day of March, A.D. 1937.

H. B. 1063

CHAPTER 430

AN ACT TO ELECT THE BOARD OF EDUCATION OF BURKE COUNTY BY A VOTE OF THE PEOPLE.

The General Assembly of North Carolina do enact:

Nomination of can-
didates for member-
ship, Board of
Education, Burke
County.

SECTION 1. There shall be nominated in the year one thousand nine hundred and thirty-eight, and biennially thereafter, at the party primaries or conventions, at the same time and in the same manner as that in which other county officers are nominated, five candidates, by each political party, for members of the County Board of Education to take the places of members of said board whose terms next expire. The names of the persons so nominated by each political party shall be certified to the Chairman of the County Board of Elections, as now provided by law for other county officers, and said names shall be placed

Nominees to be voted
on at regular elec-
tion, 1938; bi-
ennially thereafter.

upon the ticket of county officers to be voted upon by the qualified voters of said county at the regular election of one thousand nine hundred and thirty-eight, and biennially thereafter, in the same manner as other county officers.

SEC. 2. The candidates receiving a majority of the votes cast for members of the County Board of Education shall be duly elected to said office and shall hold office for a period of two years, or until their successors shall be elected and qualified. The persons elected in accordance with the provisions of this Act shall qualify by taking the oath of office on the first Monday of April next succeeding their election.

Election by majority of votes cast.

Term of office.

Qualification.

SEC. 3. In case there shall hereafter be a vacancy in the membership of the Board of Education for any cause, the vacancy shall be filled in the manner now provided by law, and the person so appointed to fill such vacancy, shall hold office until his successor shall be elected and qualified in accordance with the provisions of this Act.

Vacancy appointments.

SEC. 4. This Act shall apply only to Burke County.

Applies only to Burke County.

SEC. 5. This Act shall be in full force and effect from and after its ratification.

SEC. 6. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

In the General Assembly read three times and ratified this the 17th day of March, A.D. 1937.

S. B. 224

CHAPTER 431

AN ACT TO PROHIBIT THE SALE OF BEER, WINE, AND OTHER ALCOHOLIC BEVERAGES WITHIN ONE MILE OF THE CENTER OF THE TOWN OF PEACHLAND, IN ANSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful to issue any license for the sale, or for any person, firm or corporation, to sell any wine, beer, or other alcoholic beverages within one (1) mile of the center of the Town of Peachland, Anson County. For the purposes of this Act, the center of the Town of Peachland shall be designated as the depot of Seaboard Air Line Railway Company.

Sale of intoxicating beverages within 1 mile of center, Town of Peachland, Anson County, unlawful.

S. A. L. depot designated as center of town.

SEC. 2. That all persons, firms, or corporations violating the provisions of this Act shall be guilty of a misdemeanor and fined or punished in the discretion of the court.

Violation made misdemeanor.

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 4. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified this the 17th day of March, A.D. 1937.

S. B. 335

CHAPTER 432

AN ACT TO AUTHORIZE THE BOARD OF EDUCATION OF WAKE COUNTY TO SELL CERTAIN LAND IN THE TOWN OF APEX AND TO EXPEND THE PROCEEDS THEREOF FOR SCHOOL PURPOSES.

Preamble: Land and school building thereon purchased by citizens of Apex.

Conveyed to trustees.

Trustees authorized to sell property and invest proceeds in other property for school purposes.

Building destroyed by fire.

Land vacant and unused.

Death of trustees.

School facilities provided by Apex graded school district to serve needs of Apex white children.

Obligations for materials used in erection of physical and vocational education building, unpaid.

Title to land vested in Wake County Board of Education.

Whereas, on the seventh day of July, one thousand eight hundred and ninety-one, the citizens of Apex and community purchased and by deed recorded in book two hundred and nineteen, page five hundred and eighty in the office of the Register of Deeds for Wake County, conveyed to W. F. Utley and H. C. Olive, trustees, a certain lot or parcel of land in the Town of Apex, Wake County, North Carolina, on which was located a school building, the said lot of land being fully described in said deed, which description by this reference is incorporated herein; and

Whereas, said property was conveyed to said trustees as school property free of any rent or charge whatsoever for the exclusive use and benefit of the white children of the Town of Apex and surrounding community until said property shall be inadequate to accommodate said white children of said town and community, and then the said W. F. Utley and H. C. Olive as trustees were authorized to sell said premises and invest the proceeds of the same in some other more desirable house and lot in said town to be used for the like purposes aforesaid; and

Whereas, on or about the year one thousand eight hundred and ninety-five the building on the aforesaid lot of land burned down, and since that time said lot has been vacant and unused, and on or about the fourth day of August, one thousand eight hundred and ninety-eight, H. C. Olive, one of said trustees, died, and on or about the eighth day of January one thousand nine hundred and twenty-eight, W. F. Utley, the remaining trustee, died; and

Whereas, since the conveyance of said property to said trustees, the Apex graded school district comprising the territory of Apex and community has been created, land for public school purposes has been purchased and buildings constructed thereon which serve the needs of the white children of Apex and community contemplated in the aforesaid trust; and

Whereas, in the construction of a physical education and vocational education building for said public school during the year one thousand nine hundred and thirty-three and the year one thousand nine hundred and thirty-four, in cooperation with the Federal Civil Works Administration and the North Carolina Emergency Relief Administration, certain obligations for materials were created which remain unpaid; and

Whereas, the title to the land on which said buildings are constructed is vested in the Board of Education of Wake County; *Now, Therefore*,

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Education of Wake County be and it is hereby authorized and empowered to sell in the manner prescribed in chapter four hundred and ninety-four of the Public Laws of North Carolina, session one thousand nine hundred and thirty-three, that certain lot or parcel of land lying and being in the town of Apex, known as the "Academy Lot," and described in a certain deed to H. C. Olive and W. F. Utley, trustees, recorded in book two hundred and nineteen, page five hundred and eighty in the office of the Register of Deeds for Wake County, and to convey the same to the purchaser or purchasers in fee simple, to deposit with the Treasurer of Wake County the moneys received from said sale and to expend the same, in the manner provided for the expenditure of district school funds, for the following purposes: (1) payment of costs of sale, (2) payment of unpaid amounts due for materials used in construction of physical education and vocational education building for the white children of Apex school district, and (3) the remainder, if any, for the purchase of equipment for the Apex school for white children.

Wake County Board of Education authorized to sell and convey "Academy Lot."

Proceeds payable to County Treasurer.

Purposes for which funds may be expended, set forth.

SEC. 2. That the heirs of H. C. Olive and W. F. Utley, trustees, shall be fully discharged from said trust.

Heirs of trustees discharged from trust.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified this the 17th day of March, A.D. 1937.

S. B. 339

CHAPTER 433

AN ACT TO PROVIDE FOR THE MAINTENANCE OF BOARDWALKS, STREETS AND ROADS IN ATLANTIC BEACH, AND TO INCORPORATE THE TOWN OF ATLANTIC BEACH IN CARTERET COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the inhabitants, summer residents and property owners of Atlantic Beach, in the County of Carteret, be incorporated into a town to be known by the name of Atlantic Beach.

Atlantic Beach in Carteret County incorporated.

SEC. 2. That the corporate limits of said town shall include all of that land now known as the development of Atlantic Beach, and as platted, subdivided and shown by map of record in Map Book One, page eighty-six, in the office of the Register of Deeds of Cartaret County.

Corporate limits designated.

SEC. 3. That the officers of said corporation shall consist of a mayor and four aldermen, and the following named persons shall fill said offices for the first four years, and until their

Officers of town.

Officers for first four years named.

No compensation.	successors are duly appointed and qualified as hereinafter provided; that Newman Willis is hereby named mayor, and D. J. Whichard, W. A. Darden, Emma Blades and L. G. Cooper are hereby named aldermen, which said officers shall serve without compensation.
Election of town officials.	SEC. 4. That the said mayor and aldermen shall elect a clerk and treasurer and such other subordinate officers as they, in their discretion, shall deem necessary and proper for the government of said town. The mayor shall preside at all meetings of the aldermen and shall be entitled to vote.
Meetings presided over by Mayor.	SEC. 5. That the term of office of said mayor and aldermen appointed under this Act shall begin the first day of May, nineteen hundred and thirty-seven, and shall on said date meet and take the oath of office prescribed by law before some officer authorized to administer oaths in Carteret County, and shall thereupon enter upon the discharge of the duties of their office.
Beginning of term of office.	SEC. 6. That in the second week of April, nineteen hundred and forty-one, and in the second week in April every four years thereafter, the Governor of the State of North Carolina, shall appoint a mayor and four aldermen for the said town, but he shall have power to appoint only such persons to fill said offices as shall be recommended to him by a majority of the owners of real estate within the limits of said town, who shall be of age.
Oath.	SEC. 7. That said mayor and aldermen shall have all the powers and authority given to aldermen and commissioners of towns and cities in this state, and shall have power to enact all such lawful ordinances as they may deem proper and necessary for the better government of said town, provided said mayor and aldermen shall have no authority to levy any general property tax for the support of said town government.
Governor authorized to appoint Mayor and Aldermen every 4 years.	SEC. 8. That said mayor and aldermen shall have the power to levy and collect assessments upon the property affected or benefitted for the maintenance, upkeep, repair of boardwalks, streets and roads within said town and for the removal of sand and obstructions therefrom, and the procedure for the levy and collection of such assessments shall be as provided in chapter fifty-six, of the Laws of nineteen hundred and fifteen and amendments thereto; provided that the entire cost or expense of maintenance, upkeep and repair of said boardwalks, roads and streets, and the removal of sand therefrom shall be charged and assessed against the lots and parcels of land abutting on said boardwalks, roads and streets upon which the improvement or repair is made and directly improved, according to their respective frontages or boundary thereon by an equal rate per foot of such frontage or boundary. The power of assessment herein conferred shall only apply to such boardwalks, streets, alleys and roads as are now laid out and constructed in said town and no assessment shall be made for the purpose of opening up or constructing any new boardwalk, street or
Persons appointed only after recommendation by majority of property owners of town.	
Powers of Mayor and Aldermen.	
No power to levy general property tax.	
Assessments.	
Procedure for levy and collection of assessments.	
Entire cost of maintenance, etc. charged against abutting parcels according to frontage.	
Power of assessment limited.	

road, except upon petition of seventy-five per cent of the lot owners or property owners affected thereby.

SEC. 9. That the clerk of said mayor and aldermen shall keep a record of the names of all property owners in said town and shall five days prior to the first day of April, nineteen hundred and forty-one, and five days prior to the first day of April every four years thereafter, give notice to every property holder of age in said town to deposit with him on the second Monday in April, a ballot containing the names of the persons whom he desires to recommend to the Governor as mayor and aldermen of the said town for the ensuing four years. That upon the expiration of said time the clerk in the presence of the mayor and aldermen shall canvass the ballot filed, and announce the result thereof and certify to the Governor the persons receiving the largest number of votes for said offices for the ensuing four years, and thereupon during the second week of April in said year, the Governor shall appoint the said persons so certified to him, as their term of office beginning on the first day of May and continuing for four years thereafter and until their successors are duly appointed and qualified according to the provisions of this Act.

Records kept of names of property owners in town.

Recommendations for Mayor and Aldermen.

Ballots canvassed and results announced.

Certification to Governor.

Appointment by Governor of persons recommended.

Four year terms.

SEC. 10. That the mayor and aldermen of said town may hold meetings of their board at any time when they deem it necessary, and said meetings of said board held during the months from September to May, may be held within or without said town, or at any place convenient to said officers, and that the ballot for persons to be recommended to the Governor for mayor and aldermen as hereinbefore provided, may also be taken and had in the same manner, such place to be designated in the notice to property owners.

Town meetings.

Special provisions for months of September to May.

SEC. 11. Any vacancies that may occur in the office of mayor or aldermen of said town, whether occasioned by death, resignation or otherwise, shall be filled by the remaining members whether aldermen, or mayor and aldermen.

Vacancy appointments.

SEC. 12. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed, and the provisions of such laws as may be applicable to this Act shall be construed in conformity with this Act.

Conflicting laws repealed.

SEC. 13. If any clause, sentence, paragraph or part of this Act shall for any reason be adjudged invalid by any court of competent jurisdiction, such judgment shall not affect, impair or invalidate the remainder of this Act.

Partial invalidity provision.

SEC. 14. This Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified this the 17th day of March, A.D. 1937.

S. B. 362

CHAPTER 434

AN ACT TO VALIDATE A CERTAIN DEBT OF THE BOARD OF EDUCATION OF SAMPSON COUNTY.

Preamble: Deficit incurred by Sampson County Board of Education, in erecting and equipping school buildings.

Whereas, during one thousand nine hundred thirty-six the Board of Education of Sampson County erected and equipped certain school buildings and additions to school buildings in South River, Little Coharie, and South Clinton Townships, Sampson County, and in so doing incurred a deficit in the amount of seven thousand, four hundred thirty-four and 84/100 dollars (\$7,434.84); and

Reason for deficit.

Whereas, such deficit occurred because of the inability of the said board to negotiate a loan which it was authorized to make by the Board of Commissioners of Sampson County; and

Full value received.

Whereas, the said Board of Education received full value in buildings and equipment for the amount of said deficit: *Now, Therefore,*

The General Assembly of North Carolina do enact:

Deficit of Sampson County Board of Education for school buildings declared valid obligation of County.

SECTION 1. That the deficit of the Board of Education of Sampson County in the amount of seven thousand, four hundred thirty-four 84/100 dollars (\$7,434.84), which was incurred in building and equipping school buildings and additions to school buildings in South River, Little Coharie, and South Clinton Townships, in said county, during the year one thousand nine hundred thirty-six, is hereby declared to be a valid and legal obligation of the Board of Education of Sampson County, and the contracts out of which said deficit arose are hereby approved in all respects.

Contracts approved.

Board of Education and Commissioners authorized to fund deficit and levy taxes for payment thereof.

SEC. 2. That the Board of Education and the Board of Commissioners of Sampson County are hereby authorized and directed to fund the said deficit and to make appropriations for the payment thereof out of taxes levied by the Board of Commissioners of Sampson County.

Conflicting laws repealed.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified this the 17th day of March, A.D. 1937.

S. B. 378

CHAPTER 435

AN ACT FOR THE RELIEF OF EX-SHERIFF C. E. MOXLEY OF YADKIN COUNTY.

The General Assembly of North Carolina do enact:

Collection of Yadkin County taxes for 1919-1929, inclusive, by ex-Sheriff C. E. Moxley, or agent authorized.

SECTION 1. That ex-Sheriff C. E. Moxley of Yadkin County, who by virtue of his office has had the tax lists for the purpose of collecting taxes in his county for the years one thousand nine

hundred and nineteen through the year one thousand nine hundred and twenty-nine, inclusive, and, in case of death or default in collection, his personal representative, bondsmen or any agent or agents that he may designate is authorized and empowered to collect arrears of taxes for each of the years aforesaid, under such rules and regulations as are now, or may hereafter be, provided for the collection of taxes.

SEC. 2. That the authority herein given shall cease and determine on the first day of January, one thousand nine hundred and thirty-nine.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 17th day of March, A.D. 1937.

Expiration of
authority.

S. B. 310

CHAPTER 436

AN ACT TO AMEND CHAPTER ONE HUNDRED THIRTY-SEVEN OF THE PUBLIC LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-ONE, RELATIVE TO FALSE ADVERTISEMENT AND FRAUDULENT SALES.

The General Assembly of North Carolina do enact:

SECTION 1. That section four of chapter one hundred thirty-seven of the Public Laws of one thousand nine hundred thirty-one Acts of the General Assembly of North Carolina entitled "An Act to protect the public from false advertisement and fraudulent sales" be amended by inserting after the word "Forsyth" and before the comma in line three thereof, the word "Buncombe."

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

See Ch. 137, Public-
Local Laws, 1931,
regulating sales of
bankrupt, insolvent
or fire damaged
merchandise.

S. B. 319

CHAPTER 437

AN ACT TO AUTHORIZE THE COUNTY OF DAVIDSON TO ERECT AND EQUIP A NEW COUNTY BUILDING AND TO MAKE ALTERATIONS AND ADDITIONS TO THE EXISTING COURTHOUSE AND TO ISSUE BONDS THEREFOR.

The General Assembly of North Carolina do enact:

SECTION 1. Subject to the approval by the vote of a majority of the qualified voters of the county voting at an election to be called and held in the manner provided by the County Finance Act as amended, the County of Davidson through its

Commissioners,
Davidson County,
subject to referen-
dum, authorized to
issue bonds.

Bonds authorized for purpose of erecting and equipping new county building.

Bonds issued in accord with County Finance Act and Local Government Act.

Powers granted in addition to existing powers.

Board of County Commissioners is hereby authorized and empowered to issue not exceeding one hundred fifty thousand dollars (\$150,000.00) bonds of the county for the purpose of erecting and equipping a building to provide offices and facilities for the various departments, agencies, and bureaus of the county and an auditorium for public gatherings and acquiring a site for the same and for making alterations and additions to the existing courthouse of said county. Said bonds shall be issued in accordance with the provisions of the County Finance Act as amended and the Local Government Act as amended.

SEC. 2. The powers granted by this Act are granted in addition to and not in substitution for existing powers of said county.

SEC. 3. This Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

S. B. 347

CHAPTER 438

AN ACT TO REGULATE A DIVISION OF PROFITS ARISING FROM LIQUOR STORES IN PERSON COUNTY.

The General Assembly of North Carolina do enact:

Town of Roxboro directed to pay 20% of expense of holding liquor control election, Person County.

20% of net profits from liquor stores payable to Roxboro.

Conflicting laws modified.

SECTION 1. That if and when an election is held in Person County under an Act entitled "An Act to provide for the Manufacture, Sale and Control of Alcoholic Beverages in North Carolina," passed by this General Assembly, twenty per centum of the expense of holding said election shall be paid out of the general fund of the Town of Roxboro, and if in consequence of said election one or more liquor stores are set up and operated in said county twenty per centum of the net profits arising therefrom shall be paid into the general fund of said Town of Roxboro.

SEC. 2. That all laws and clauses of laws repugnant to the provisions of this Act be and they are modified accordingly, as applied to Person County.

SEC. 3. That this Act shall be in force and effect after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

S. B. 348

CHAPTER 439

AN ACT TO VALIDATE CERTAIN PROBATE AND ACKNOWLEDGMENTS OF NETTIE CUTHRELL, A NOTARY PUBLIC OF HALIFAX COUNTY.

Whereas, Nettie Cuthrell, a duly commissioned, qualified and acting Notary Public, resident at Weldon, in the County of Hali-

fax, State of North Carolina, and while Assistant Secretary of the Weldon Building and Loan Association, a corporation chartered and doing business under the laws of the State of North Carolina, has taken the acknowledgments and probates of certain deeds of trust, mortgages and other instruments in which the said Weldon Building and Loan Association was interested:
Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That all such acknowledgments, examinations and probates so taken by said Nettie Cuthrell be, and the same are hereby validated, confirmed and made legal, regular and binding.

SEC. 2. This Act shall not in any way affect any action now pending.

SEC. 3. This Act shall be binding from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

Preamble: Acknowledgments of certain instruments taken by Nettie Cuthrell, Notary Public, Halifax County.

Acknowledgments taken by Nettie Cuthrell, N. P., validated.

Pending litigation not affected.

S. B. 367

CHAPTER 440

AN ACT TO REGULATE THE PRACTICE OF PLUMBING AND HEATING CONTRACTING IN ANSON COUNTY, AND TO PREVENT FRAUDS.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm or corporation to enter into or carry on the business of plumbing and/or heating, whether by contract or otherwise, in Anson County, without first having applied for and obtained a license from the State Board of Examiners of Plumbing and Heating Contractors.

SEC. 2. That it shall be unlawful for any person, firm or corporation to use an expired or revoked license of said State Board of Examiners of Plumbing and Heating Contractors in Anson County.

SEC. 3. That it shall be unlawful for any person, firm or corporation to install any plumbing and/or heating in any building in Anson County in a manner which does not conform to the minimum requirements of the North Carolina Building Code as it relates to plumbing and heating, as amended from time to time.

SEC. 4. That any person, firm or corporation who shall violate any of the provisions of this Act shall be guilty of a misdemeanor and upon conviction fined not less than fifty dollars or imprisoned for not more than three months or both, in the discretion of the court.

SEC. 5. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Plumbing and heating contractors license required, Anson County.

Use of expired or revoked licenses prohibited.

Installation of plumbing and heating must conform with N. C. Building Code.

Violation made misdemeanor.

Conflicting laws repealed.

SEC. 6. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

S. B. 381

CHAPTER 441

AN ACT TO FIX THE SALARIES OF CERTAIN COUNTY OFFICERS IN UNION COUNTY.

The General Assembly of North Carolina do enact:

Salary of C. S. C.,
Union County.

Appointment of
Assistant Clerk,
authorized.
Salary.

Salary of Register of
Deeds, Union
County.

Employment of
deputy authorized.
Salary.
Extra clerical as-
sistance authorized
for emergencies.

Conflicting laws
repealed.

Effective date.

SECTION 1. That the Clerk of the Superior Court of Union County shall receive in lieu of all other compensation a salary of two thousand seven hundred dollars (\$2,700.00) per year, payable monthly by the Board of County Commissioners from the general funds of the county, and may appoint an Assistant Clerk at a salary of one thousand three hundred fifty dollars (\$1,350.00) per year, payable monthly as above provided for the payment of the Clerk of the Superior Court.

SEC. 2. That the Register of Deeds of Union County shall receive in lieu of all other compensation a salary of two thousand dollars (\$2,000.00) per year, payable monthly by the Board of County Commissioners from the general funds of the county, and may employ a deputy at a salary of one thousand two hundred dollars (\$1,200.00) per year, payable monthly as above provided for the payment of the Register of Deeds, and in addition thereto, the County Commissioners may make a reasonable allowance for extra clerical assistance in cases of emergency.

SEC. 3. That all laws and clauses of laws in conflict herewith are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after July first, one thousand nine hundred thirty-seven.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 147

CHAPTER 442

AN ACT RELATIVE TO FISHING IN CERTAIN STREAMS IN ALAMANCE COUNTY.

Preamble: Large
cities and towns
located on watersheds
of certain streams,
Alamance County.

Waters of streams
greatly polluted.

Whereas, on the watersheds of Alamance Creek, Reedy Fork Creek, and Haw River, in Alamance County and near their sources are situate large cities and many populous towns and villages; and

Whereas, as a result of this density of population on said watersheds in Alamance County and at points nearer the sources of said streams, the waters of said streams are at all times greatly polluted; and

Whereas, by reason of said polluted condition of the waters of said streams in Alamance County conservation of the fish life in said streams is impracticable and the entire fish life in said streams is from time to time almost totally destroyed when excessive amounts of poisonous wastes are present in said waters as frequently happens; and

Conservation of fish life in streams made impracticable by polluted condition of water.

Whereas, the citizens of Alamance County are desirous of and should be afforded the privilege of fishing in said streams: *Therefore*,

Privilege of fishing in streams desired by citizens, Alamance County.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall always be lawful to take fish from Alamance Creek, Reedy Fork Creek, and Haw River, in Alamance County.

Taking fish from certain streams in Alamance County lawful.

SEC. 2. That it shall be unlawful for any person to kill or destroy fish in any of said streams in Alamance County by the use of dynamite or other explosive.

Killing fish with explosives, prohibited.

SEC. 3. That any person violating any of the provisions of this Act shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned at the discretion of the court.

Violation made misdemeanor.

SEC. 4. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 5. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 154 CHAPTER 443

AN ACT TO PROVIDE FOR A NEW REGISTRATION IN CLEVELAND COUNTY AND FOR THE REGULATION OF VOTING IN PRIMARIES.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Elections of Cleveland County shall, before the next regular election to be held in November, one thousand nine hundred thirty-eight, order a new registration of all voters in Cleveland County, said registration to be had in accordance with the general election laws of the state, except the board of elections may, for the purpose of giving ample time for the new registration, provide that the books open on the sixth Saturday before the November, one thousand nine hundred thirty-eight, election instead of on the fourth Saturday, as now provided by law.

New registration of voters, Cleveland County.

Regulations.

SEC. 2. That in conducting said registration, no names shall be transferred from any of the old books to the new, but every person now registered must appear in person before the registrar and register again, in order to be qualified to vote in

Personal appearance before registrar required.

Declaration of political party affiliation.

Voter designated as "Independent" in certain cases.

Preparation of registration books for primary.

Names copied from regular book into primary registration book.

No person permitted to vote in primary, unless registered as member of party holding primary.

Change of party affiliation.

Oath taken by voter changing affiliation.

Directions for making change on registration books.

Conflicting laws repealed.

any election or primary held in Cleveland County after the new registration. That in addition to other information required to be obtained, the registrar shall ask each voter—"With which political party are you affiliated?," and shall enter the answer of the voter in the proper column after the name of the voter in the registration book. If the voter does not know, refuses to answer, or is not a member of any party, the registrar shall enter in the proper column after his or her name the word "Independent."

SEC. 3. That the Board of Elections of Cleveland County may, before the date for the holding of a primary election by any political party, require the registrar in each precinct to prepare a primary registration book for the use of the political party holding the primary for the nomination of its candidates, and when so ordered, the registrar of each precinct shall copy from the regular registration book the names of all voters who are registered as members of the political party holding the primary, and enter their names on a primary registration book. That after the board of elections has ordered the preparation of primary registration books, as hereinbefore provided, for the use of the political party holding its primary, no person shall be permitted to vote in said primary unless his or her name is on the primary registration book, or unless his or her name is registered on the regular registration book as a member of the political party holding the primary.

SEC. 4. That any voter in Cleveland County who may desire to change his or her party affiliations must appear in person before the registrar of his or her precinct, while the books are open for the registration of voters, and ask to be registered as a member of a different political party. After requiring the voter to take an oath to the effect that he or she will in the next general election support all the nominees of the party to which the voter is changing his or her party affiliations, the registrar shall draw a line with red ink through the name of the voter as it originally appears on the book, and register said voter as a member of the political party whose nominees he or she has taken an oath to support.

SEC. 5. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 6. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 343

CHAPTER 444

AN ACT TO AUTHORIZE THE MAYOR AND BOARD OF ALDERMEN OF WRIGHTSVILLE BEACH, NORTH CAROLINA, TO LEVY A SPECIAL TAX IN CERTAIN INSTANCES.

The General Assembly of North Carolina do enact:

SECTION 1. That the Mayor and Board of Aldermen of the Town of Wrightsville Beach, North Carolina, be, and they are hereby authorized and empowered to levy and collect a special tax, not exceeding thirty cents (30c) on the one hundred dollars (\$100.00) of taxable real and personal property in said town, for the fiscal year beginning July first, one thousand nine hundred thirty-seven, and ending June thirtieth, one thousand nine hundred thirty-eight, and also for the fiscal year beginning July first, one thousand nine hundred thirty-eight, and ending June thirtieth, one thousand nine hundred thirty-nine, for any one or all of the following purposes, to-wit:

(a) For the purpose of carrying out and performing the terms and provisions of a certain contract entered into by the said town with the North Carolina State Highway and Public Works Commission, for the construction of a road or highway in said town, on the Banks Channel side of the same, from Station One to a point South of Lumina, and being designated by said State Highway and Public Works Commission as project number three thousand five hundred forty-three, New Hanover County, and any extension to said road.

(b) For the purpose of changing, re-laying and removing water and sewer pipes, septic tanks, boardwalks, and other property necessitated by the construction of the road aforesaid.

(c) For the purpose of constructing and paving certain streets in said town, which are now or may hereafter be laid out.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act, be, and the same are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

Mayor and Aldermen, Town of Wrightsville Beach, authorized to levy and collect special tax for certain years.

For purpose of carrying out certain contracts with State Highway and Public Works Commission.

For incidental work necessitated by road construction.

For construction and paving of certain streets.

Conflicting laws repealed.

H. B. 852

CHAPTER 445

AN ACT TO REPEAL CHAPTER THREE HUNDRED AND NINETY-SEVEN PUBLIC-LOCAL LAWS ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE ENTITLED "AN ACT FOR THE RELIEF OF THE TAXPAYERS OF MACON COUNTY DURING THE ECONOMIC EMERGENCY DECLARED TO EXIST."

The General Assembly of North Carolina do enact:

Ch. 397, Public-Local Laws, 1935, an Act for relief of Macon County taxpayers during economic emergency, repealed.

SECTION 1. That chapter three hundred and ninety-seven Public-Local Laws of one thousand nine hundred and thirty-five entitled "An Act for the relief of the taxpayers of Macon County during the economic emergency declared to exist" be and the same is hereby repealed.

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 890

CHAPTER 446

AN ACT RELATING TO THE NUMBER AND APPOINTMENT OF THE MEMBERS OF THE BOARD OF EDUCATION FOR SURRY COUNTY.

The General Assembly of North Carolina do enact:

Board of Education, Surry County.

SECTION 1. That the Board of Education of Surry County, North Carolina, shall consist of not less than five members to be named and appointed as hereinafter provided and not more than seven members.

Five members named biennially by General Assembly.

SEC. 2. That five members of the Board of Education of Surry County shall be named by the General Assembly of North Carolina at its regular session each two years and without regard to the party affiliation of the members named.

Appointment of two additional members by County Commissioners, Surry County.

SEC. 3. That in addition to the five members named on said board by the General Assembly as herein provided, the Board of County Commissioners of Surry County, North Carolina, be, and they are hereby authorized to name and appoint two additional members on said Board of Education, those named and appointed to be residents and citizens of Surry County, North Carolina, and of competency and good moral character, the appointments to be made without regard to party affiliations.

Qualifications.

Appointments on non-partisan basis.

Conflicting laws repealed.

SEC. 4. That all laws and clauses of laws in conflict with this Act shall be and the same are hereby repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 914

CHAPTER 447

AN ACT AUTHORIZING THE CITY COMMISSIONERS OF WILMINGTON TO INSTALL POLICE RADIO EQUIPMENT ON ALL POLICE CARS.

The General Assembly of North Carolina do enact:

SECTION 1. That within six months after the passage of this Act, the City Commissioners of the City of Wilmington shall cause a short wave radio transmitter to be installed in the Central Police Station, and receiving sets on at least two police cars and on two motorcycles, said equipment to be of approved standard equipment.

Installation of short wave radio system for police, City of Wilmington.

SEC. 2. That the City Commissioners of the City of Wilmington are hereby authorized and directed to appropriate from the general funds of the City of Wilmington a sum not to exceed twenty-five hundred dollars (\$2,500.00) for the purpose of purchasing and installing the necessary equipment as required by section one of this Act.

City Commissioners of Wilmington, directed to make appropriation for purchase and installation of necessary equipment.

SEC. 3. That the City Commissioners of the City of Wilmington are hereby directed and required to include in their budget each year, the sum of not less than five hundred dollars (\$500.00) for the maintenance of the said police radio system, and the installation of equipment on other automobiles and motorcycles not heretofore enumerated.

Annual appropriation for maintenance and for additional equipment.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 967

CHAPTER 448

AN ACT TO AUTHORIZE THE CITY OF DURHAM TO APPOINT A BOARD OF BUILDING APPEALS AND TO DELEGATE TO IT CERTAIN POWERS.

The General Assembly of North Carolina do enact:

SECTION 1. The City Council of the City of Durham shall have power to provide for the creation and organization of a board of building appeals to which appeals may be taken from the decision of the building inspector upon any provision of the building code of said city. Such board shall consist of five members, each to be appointed for a term of three years, except the first members appointed by authority hereof, one of whom shall be appointed for one year, two for two years and two for three years. Such board shall have power to elect its own officers,

Creation of Board of Building Appeals for City of Durham.

Purpose.

Appointment of members.

Staggered terms.

Powers.

Appeals from decisions of building inspector.	<p>to fix the times and places for its meetings, to adopt necessary rules of procedure, and to adopt all other rules and regulations not inconsistent herewith which may be necessary for the proper discharge of its duties; and it shall keep an accurate record of its proceedings. An appeal from any decision or order of the building inspector may be taken by any person aggrieved thereby or by any officer, board or commission of the city. Any appeal from the building inspector to such board shall be taken within such reasonable time as shall be prescribed by the board by general rule and shall be taken by filing with the building inspector and with the clerk or secretary of the board, or with such other person as may be designated by the board, a notice of appeal which shall specify the grounds upon which the appeal is based. Upon the filing of any such notice of appeal, the building inspector shall forthwith transmit to the board all the papers constituting the record upon which the decision appealed from was made. When any such appeal is from a decision of the building inspector refusing to allow the person aggrieved thereby to do any act, such decision of the building inspector shall remain in force until modified or reversed by the board as hereinafter provided. When any such appeal is from a decision of the building inspector requiring the person aggrieved to do any act, such appeal shall have the effect of suspending the requirements of the building inspector until the hearing thereon by the board, unless the building inspector certifies to the board, after the notice of appeal shall have been filed with him, that by reason of the facts stated in the certificate (a copy of which certificate shall be furnished the appellant), a suspension of his requirement would, in his opinion, cause imminent peril to life or property, in which case such requirement shall not be suspended except by a restraining order, which may be granted for due cause shown and upon not less than one day's written notice to the building inspector, by the board or by any Judge of the Superior Court authorized by law to grant restraining orders. The board shall fix a reasonable time for the hearing of all appeals and shall decide the same within a reasonable time. Upon the hearing of any appeal any party may appear in person or by agent or attorney. The board of building appeals may reverse or affirm, wholly or partly, or may modify the decision appealed from, and may make such decision and order as in its opinion ought to be made in the matter, and to that end it shall have all the powers of the building inspector; <i>provided</i>, that the concurring vote of four members of the board shall be necessary to reverse or modify any decision of the building inspector. In passing upon appeals, the board shall have power not only to determine whether the decision of the building inspector is made upon a proper construction of the pertinent provisions of the building code, but it shall have power also to allow materials and methods of construction other than those required by the building code to be used when in its opinion such other materials</p>
Time of taking appeal.	
Notice of appeal.	
Record on appeal transmitted to board by building inspector.	
Decision of Inspector refusing act continued in force until modified by board.	
Affirmative requirement suspended upon appeal.	
Requirement not suspended in certain cases except by restraining order.	
Hearings and decisions on appeal.	
General appellate powers of board.	
Concurrence of four members necessary for reversal or modification.	
Liberal construction of building code.	

and methods of construction are as good as those required by the code; and for this purpose the requirements of the building code as to such matters shall be considered simply as a standard to which construction shall conform. The board shall have power also in passing upon appeals, in any case where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the building code, to adapt the application of the code to the necessities of the case to the end that the spirit of the code shall be observed, public safety and welfare secured and substantial justice done. Every decision of the board shall be subject to review by the Superior Court of Durham County.

Building code considered as construction standard.

Application of code.

Review of board's decisions.

SEC. 2. This Act shall take effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 985

CHAPTER 449

AN ACT RELATING TO COURT COSTS IN CRIMINAL ACTIONS IN DURHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. In any criminal action tried in Durham County where the defendant has been convicted and sentenced to the roads, workhouse, or jail by any justice of the peace and no costs have been paid, there shall be paid to the constable making the arrest, from the general funds of Durham County, one-half of the regular constables fees.

Payment of fees to constables in certain cases, from general funds, Durham County.

SEC. 2. This Act shall apply only to Durham County.

Applies only to Durham County.

SEC. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 1000

CHAPTER 450

AN ACT TO REGULATE THE FEES OF THE CLERK OF THE SUPERIOR COURT AND SHERIFF OF WILSON COUNTY IN TAX FORECLOSURE SUITS.

The General Assembly of North Carolina do enact:

SECTION 1. That in all tax foreclosure suits in the County of Wilson, the fees of the Clerk of the Superior Court and of the Sheriff of Wilson County shall be one-half of the fees now allowed by law in suits wherein the County of Wilson or munici-

Fees of C. S. C. and Sheriff, Wilson County, in tax foreclosure suits.

Commissioners authorized to deposit fees with C. S. C. upon institution of suit.

Fees included in bill of costs.

Conflicting laws repealed.

palities therein are not parties plaintiff; and the Board of Commissioners of Wilson County is hereby authorized and empowered, in their discretion, to deposit with the Clerk of the Superior Court of Wilson County upon the institution of such suit, a sum or sums equal to the one-half fees provided for herein, which sum or sums shall be included in bill of costs upon final judgment.

SEC. 2. That all laws and clauses of laws in conflict with this Act are repealed only insofar as is necessary to carry out the provisions of this Act.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 1019

CHAPTER 451

AN ACT TO AMEND CHAPTER FORTY-TWO PUBLIC-LOCAL LAWS OF SESSION ONE THOUSAND NINE HUNDRED AND THIRTY-THREE, RELATING TO SALARY OF TAX COLLECTOR OF BRUNSWICK COUNTY.

The General Assembly of North Carolina do enact:

Ch. 42, Public-Local Laws, 1933, amended.

Commissioners, Brunswick County, authorized to pay Tax Collector salary or commission.

Conflicting laws repealed.

SECTION 1. That section one, chapter forty-two Public-Local Laws, session one thousand nine hundred and thirty-three, be, and the same is hereby amended by striking out lines five, six, seven, and eight of said chapter, and inserting in lieu thereof the following: "That the Commissioners of Brunswick County, be, and they are hereby authorized and empowered to pay the Tax Collector of Brunswick County a salary and/or commission in the amount to be fixed in the discretion of said board."

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 1026

CHAPTER 452

AN ACT TO AMEND CHAPTER FOUR HUNDRED EIGHTY-THREE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-FIVE, RELATING TO FEES FOR THE SEIZURE OF STILLS IN GRANVILLE COUNTY.

The General Assembly of North Carolina do enact:

Ch. 483, Public-Local Laws, 1935, amended.

SECTION 1. That section nine, chapter four hundred eighty-three, Public-Local Laws of one thousand nine hundred thirty-

five, is hereby amended by striking out the word "shall" in line four of said section and inserting in lieu thereof the words "may in the discretion of the County Commissioners of Granville County."

Payment of fee for seizing distillery, under said Chapter, optional with Commissioners, Granville County.

SEC. 2. That it is the purpose and intent of this Act to make the payment of a fee for seizing a distillery, under the terms of said chapter four hundred eighty-three, optional with the Board of County Commissioners of Granville County.

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 1048

CHAPTER 453

AN ACT TO EXTEND THE TIME FOR THE INSTITUTION OF TAX FORECLOSURE ACTIONS IN HARNETT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the limitation of time in respect of which actions for the foreclosure of tax liens and tax sale certificates for the year one thousand nine hundred and thirty-three and subsequent years be, and the same is, hereby extended until December first, one thousand nine hundred and thirty-seven.

Time for bringing foreclosure suits on tax liens, etc. for 1933 and subsequent years, Harnett County, extended.

SEC. 2. That this Act shall apply only to Harnett County.

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 1057

CHAPTER 454

AN ACT VALIDATING THE ACTS OF THE GOVERNING BODY OF THE TOWN OF GARYSBURG WITH REFERENCE TO ADVERTISEMENT AND SALE OF PROPERTY FOR DELINQUENT TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. That the action of the governing body of the Town of Garysburg, Northampton County, for failure to advertise and sell real estate and personal property for delinquent taxes due said town for the years one thousand nine hundred

Failure of Town of Garysburg to advertise and sell property for delinquent taxes, validated.

Governing body authorized to advertise and sell property.

Conflicting laws repealed.

and thirty-five and one thousand nine hundred and thirty-six, be and the same is hereby in all respects validated and said governing body may advertise and sell said personal property and real estate for such delinquent taxes at any time prior to December seven, one thousand nine hundred and thirty-seven.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 1106

CHAPTER 455

AN ACT TO PROHIBIT THE SALE OF FIREWORKS IN PENDER COUNTY.

The General Assembly of North Carolina do enact:

Sale, use, etc. of fireworks in Pender County, prohibited.

Permits for public exhibitions.

Application for permit.

Violation made misdemeanor.

Conflicting laws repealed.

SECTION 1. That it shall be unlawful for any person, firm or corporation to sell or offer for sale, shoot, fire, discharge, display, or otherwise use or have possession of any fire crackers, torpedoes, cap pistols, sky rockets, Roman candles or other articles commonly known as fireworks in the County of Pender: *Provided, however*, that for the purpose of enforcing the provisions of this Act the sheriff of the county and the chief of police in all municipalities within the county are hereby empowered and authorized to issue permits for use in connection with the conduct of public exhibitions, such as fairs, carnivals, shows of all descriptions and public celebrations, but only after satisfactory evidence is produced to the effect that said pyrotechnics will be used for the aforementioned purpose and none other. Any person desiring to secure a permit as aforementioned, shall make application to the sheriff of said county or to the chief of police of the municipality in which said pyrotechnics are to be used.

SEC. 2. That any person violating the provisions of this Act shall be punishable by a fine not exceeding fifty (\$50.00) dollars or imprisonment not exceeding thirty days.

SEC. 3. That this Act shall only apply to Pender County.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 1153

CHAPTER 456

AN ACT TO PROHIBIT HUNTING IN BRUNSWICK COUNTY
WITH ANY AUTOMATIC OR REPEATING SHOT GUN
CAPABLE OF HOLDING OVER THREE SHELLS.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful in the County of Brunswick to use while hunting any auto-loading automatic or hand-operated repeating shot gun capable of holding more than three shells, the magazine of which has not been cut off or plugged with a one-piece metal or wooden filler incapable of removal through the loading end thereof, so as to reduce the capacity of said gun to not more than three shells at one loading.

Hunting with automatic shot gun with capacity of over 3 shells, prohibited in Brunswick County.

SEC. 2. That any person violating the provisions of this Act shall be guilty of a misdemeanor and upon conviction fined not more than fifty dollars (\$50.00) or imprisoned not exceeding thirty days.

Violation made misdemeanor.

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 543

CHAPTER 457

AN ACT FOR THE RELIEF OF TAXPAYERS OF CARTERET COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That upon application by any delinquent taxpayer, or successor in interest, of Carteret County to the Commissioners of Carteret County for adjustment of delinquent taxes for the year one thousand nine hundred thirty-five and years prior thereto, when such delinquent taxes are unpaid at the time of the application, the Commissioners of Carteret County shall have the right, and they are hereby authorized and empowered, after proper investigation and ascertainment of the facts in relation to the application, to revalue and reassess the property or properties in question, according to its or their true value at the time of the fixing of values during the respective years in question, or in the discretion of the commissioners, with the finding of facts to so justify, to make such adjustment of the taxes without ordering a revaluation or reassessment for the year or years in question; and such findings and adjustment by the said commissioners shall be final and conclusive: *Provided, however,* that such action as may be taken

Commissioners, Carteret County, authorized to make adjustment of delinquent taxes, 1935 and prior years.

Adjustment by revaluation and reassessment.

Adjustment without ordering revaluation, etc.

Findings and adjustment final.

Record of action.

in respect to the subject matter shall be reflected in the official minutes and records of the Board of Commissioners.

Adjustments authorized only upon payment of all taxes due.

SEC. 2. That the Commissioners of Carteret County shall have no authority to revalue and reassess or make other adjustment in the manner above provided for, except in such case or cases where tender of cash or other authorized payment is made (at the time of such adjustment) in settlement of the delinquent taxes upon the basis of the adjustment authorized by the commissioners, and upon condition that payment in cash at the time be made of all taxes for years subsequent to one thousand nine hundred thirty-five.

Issuance of exemptions or releases.

SEC. 3. That whenever such revaluation, reassessment or adjustment shall have been authorized by the Board of Commissioners, the tax supervisor, or such county official as is designated by law to perform such duties, is hereby authorized and directed to issue the proper exemptions or releases to make such payment of taxes conform to the revised values or adjustments authorized.

Limitation of time for application for relief.

SEC. 4. That the provisions of sections one, two and three of this Act shall be effective only in those cases where application for relief is made prior to July first, one thousand nine hundred thirty-eight.

Ch. 207, Public-Local Laws, 1935, amended.

SEC. 5. That chapter two hundred seven of the Public-Local Laws of one thousand nine hundred thirty-five, authorizing the use of county bonds in the discharge of taxes for certain delinquent years, be, and the same hereby is amended by striking out the words "one thousand nine hundred and thirty-three" in line thirteen of section one and substituting in lieu thereof the words, "one thousand nine hundred and thirty-five," and striking out the words "one thousand nine hundred and thirty-four" in lines seventeen and eighteen of the same section and substituting in lieu thereof the words, "one thousand nine hundred and thirty-six."

Bonds acceptable for certain delinquent taxes, conditioned upon payment of 1935 and 1936 taxes in cash.

Action of Commissioners authorizing acceptance of County bonds, etc. in payment of delinquent taxes, validated.

SEC. 6. That the action by the Board of Commissioners of Carteret County heretofore taken in authorizing the acceptance of bonds and/or coupons of Carteret County to be applied to the payment of delinquent taxes due the county, and subject to conditions at the time imposed, be, and the same is hereby approved, ratified and confirmed.

Act applicable also to Morehead City and Beaufort.

SEC. 7. That the provisions of this Act, all and singular, shall be applicable also to the delinquent taxpayers and the governing authorities of the Town of Morehead City and Town of Beaufort.

Conflicting laws repealed.

SEC. 8. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 9. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 903

CHAPTER 458

AN ACT TO PROVIDE A CIVIL SERVICE SYSTEM FOR THE MEMBERS OF THE POLICE AND FIRE DEPARTMENTS OF THE CITY OF GREENVILLE, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That there is hereby created a Civil Service Board for the City of Greenville, to consist of five members. Three of said members shall be appointed by the City Council, one shall be appointed by the Chief of Police, and one shall be appointed by the Chief of the Fire Department. The first appointments made hereunder shall be made during the month of April, one thousand nine hundred thirty-seven, and the members then appointed shall take office, and the duties of said board shall begin on the first Monday in May, one thousand nine hundred thirty-seven. The City Council shall designate two of its original appointees to have terms of one year each, and shall designate the third to have a term of three years; and the original appointees of the Chief of Police and Chief of the Fire Department shall have terms of two years each. Thereafter, all successors to such original appointees shall be appointed for terms of three years; and all appointees for full terms shall be made during the month of April of the proper year and all such appointees shall take office on the first Monday in May of the year in which they are appointed. Such appointments shall be made by the same authority by which the members whose terms are expiring were appointed. Appointments to fill vacancies for the unexpired term, may be made at any time by the authority by which the member in whose office the vacancy occurs was appointed, and the person appointed to fill such vacancy shall take office as soon as practicable after his appointment. Any member of said board shall, at the end of his term, be eligible for appointment to succeed himself. No official or employee of the City of Greenville shall be eligible for appointment to membership on said board.

SEC. 2. That the members of said board shall possess the qualifications and requirements now or hereafter in force with respect to other officers of the City of Greenville, and shall take a similar oath (or affirmation) of office; *provided*, that this shall not be construed to require members of said board to be selected on the basis of wards or other geographical districts, nor shall it be construed to require members of said board to furnish bonds as required of fiscal officers of the city. Members of said board shall be subject to removal from office only after public hearing before the respective appointing authorities. Such hearing shall be held only after ten days notice of the time and place thereof, which said notice shall be in writing and shall be accompanied by a copy of the charges on the basis

Civil Service Board, City of Greenville, created.

Appointment of members.

Time of first appointments.

Time of taking office.

Staggered terms.

Successor appointments.

Vacancy appointments.

Eligibility for reappointment.

Qualifications and requirements.

Oath.

Selection on basis of wards not required.

Bonds not required.

Removal.

Notice of hearing and of charges.

Preferment of charges.

Selection of chairman.
Secretary.
Duties.

Minutes and records open to public inspection.

Preservation of examination papers.

Inspection of examination papers by others than applicant.

Board authorized to prescribe regulations.

Particular regulations authorized.

Availability of regulations for use of employees, applicants, etc.

Examinations.

Open to persons meeting requirements.

Nature of examinations.

Notice of examinations.

of which removal is sought. Said charges may be preferred by the appointing authority or by any citizen, and in case of preferment by a citizen they shall be sworn to by the complainant.

SEC. 3. That said board shall select its own chairman, the city clerk shall act as secretary of said board and he shall keep the minutes of its proceedings; shall be custodian of all papers and records pertaining to the board's business; shall keep a record of all examinations held; and shall perform such other duties as the board may prescribe. All minutes, records, books and papers of said board, and all examination papers submitted to it, shall be open to public inspection under such rules and regulations as the board may prescribe; *provided*, that this shall not be construed to require said board to preserve said examination papers for a period longer than one year; and *provided, further*, that said board shall not be required to permit any person, other than the person submitting said examination paper, to inspect the examination paper submitted by any applicant except upon written permission from a member of said board or member of the City Council.

SEC. 4. That said board, by and with the advice of the chief of each respective department, shall have authority to prescribe reasonable rules and regulations concerning said departments. Said rules and regulations may include, among other things, the establishment and maintenance of requirements for employment in said departments, the establishment and maintenance of requirements for promotions within said departments, the establishment and maintenance of standards of conduct for the employees of said departments, and the conduct and regulation of said departments in general. Wherever possible said rules and regulations shall be printed or otherwise made available for the use of employees and applicants, and for public inspection.

SEC. 5. That all applicants for employment in said departments shall be subjected to an examination by said board, which said examination shall be competitive, free and open to all white persons possessing the rights of suffrage and meeting the requirements prescribed by said board. Said requirements may include reasonable limitations as to residence, age, experience, health, moral character and such other matters as in the opinion of said board are pertinent to the determination of the essential qualifications of applicants. Said examinations shall be practical in their character and shall relate to those matters which will fairly test the capacity of the person examined to discharge the duties of the position sought; but no applicant shall be examined concerning his political or religious views or affiliations.

SEC. 6. That notice of the time and place of every examination shall be given by said board by publication once each week for two weeks preceding such examination, and by posting in some conspicuous place in the offices of the City of Greenville for two weeks preceding such examination.

SEC. 7. That said board shall keep a register of persons suc-

cessfully passing said examination, graded according to their respective answers, and said register shall determine the appointments to be made in each of said departments under the rules and regulations established by said board.

SEC. 8. That all promotions in said departments shall be made by the chief of the department, and said board, with the advice of the chief, may in its discretion establish a system of examinations for applicants for promotion and establish a register of persons successfully passing said examinations as a basis for the making of such promotions. In the establishment of promotion ratings, due consideration shall always be given by said board and chief to the service record of each applicant for promotion. Nothing in this section shall be construed as authorizing said board to appoint the chief of either of said departments. Said chief shall be appointed by the Mayor and City Council, but from and after the ratification of this Act, no person shall be appointed chief unless he has successfully passed the examination of the Civil Service Board or has for at least two years been a member of the department of which he is so appointed chief. The chief of either department shall be subject to removal from office, for cause, by the Mayor and City Council.

SEC. 9. That officers and employees of said departments who have been in the service of said departments for two years or more prior to the ratification of this Act, shall not be required to take any examination to retain their positions; and such officers and employees shall be given an initial rating entitling them to retain such positions. All such officers and employees shall be subject to all the provisions of this Act with respect to promotion. Officers and employees in the service of said departments for less than two years prior to the ratification of this Act shall be required to take any examinations prescribed for applicants for employment; but said board may consider their experience as one factor in determining the rating to be assigned to them.

SEC. 10. That no officer or employee of said departments who has been in the service of said departments for two years or more prior to the ratification of this Act, and no officer or employee who is admitted to service in said departments under the provisions of this Act, shall be removed from office except by the chief of said department approved by said board. Every such officer or employee removed by the chief shall be notified of such removal in writing, and a copy of the charges preferred against him shall accompany said notice. At any time within ten days after receipt of such notice the such officer or employee may demand a public hearing before said board, in the absence of such demand the board shall approve the action of said chief, and the decision of the board shall be final. Charges may be preferred by any citizen, shall be sworn to by the complainant and submitted to said chief. Any citizen so preferring

Register containing successful applicants and respective grades kept for use in making appointments.

Promotions.

System of examinations as basis for promotions.

Consideration of service records.

Appointment of department chiefs.

Qualifications.

Removal.

Examinations not required of employees and officers in service two years prior to Act.

Initial rating.

Promotion.

Examinations for persons in service less than two years prior to Act.

Consideration of experience.

Removal of officers and employees.

Notice of removal and of charges.

May demand public hearing.

Preferment of charges by citizen.

Application for hearing upon failure to remove.

Hearing and removal without chief's recommendation.

Suspension by department chief.

Review.

Board's decision, after hearing, final.

Powers of board in connection with hearing.

Annual reports to City Council.

Office space for board.

Use of public buildings.

Compensation of board members.

City Council not deprived of control over city finances.

Participation in politics by employees and officers prohibited.

Removal upon proof of violation.

Conflicting laws repealed.

charges may, if said chief does not recommend removal of the officer or employee within thirty days after filing of the charges, apply to said board for a hearing on said charges; and in such event the board may, in its discretion, notify such officer and employee in the manner above prescribed, conduct a hearing on such charges, and order removal of said official or employee without recommendation from said chief. The chief of said department may suspend or discharge any officer or employee of said department, upon giving such officer or employee a written statement of the reasons therefor. Such action shall not be subject to review by said board unless within ten days after receipt of such statement such officer or employee demands a public hearing before such board; and the decision of the board after any such hearing shall be final. In connection with any hearing held by said board, said board shall have all necessary powers to enable it to investigate the matters to be heard, including the authority to subpoena witnesses and records; and the board may, in its discretion, authorize temporary suspension of any officer or employee pending the hearing.

SEC. 11. That said board, together with the chief of each department, shall make an annual report of its activities and proceedings to the City Council, together with suggestions, comments and recommendations as it may see fit to make.

SEC. 12. That the City Council shall provide suitable office space for said board, and shall allow such reasonable use of public buildings by said board for examinations and hearings as may be necessary.

SEC. 13. That the members of said board shall receive such compensation for their services as may be prescribed by the City Council; and the Council may, but need not, authorize additional compensation to the city clerk for his services as secretary to said board.

SEC. 14. That nothing in this Act shall be construed to deprive the City Council of its control over the finances of the city.

SEC. 15. That no officer or employee of the Fire Department or the Police Department of the City of Greenville, shall take part in any election or any political function other than to exercise his right as a citizen to vote; and upon proof of a violation of this section by any such officer or employee, the chief of such department and said board shall remove such official or employee from office.

SEC. 16. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 17. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 906

CHAPTER 459

AN ACT TO VALIDATE CERTAIN BONDS OF THE TOWN OF WARSAW AND AUTHORIZING THE ISSUANCE OF REFUNDING AND FUNDING BONDS OF SAID TOWN.

The General Assembly of North Carolina do enact:

SECTION 1. There are hereby validated and declared to be the valid and binding obligations of the Town of Warsaw, the following bonds of said town, all of which were issued to secure funds for necessary expenses of said town:

Bonds of Town of Warsaw, validated.

\$5,000 Improvement 6% Bonds dated June 1, 1916.

\$7,000.00 Electric Light 6% Bonds dated October 1, 1917.

\$52,000.00 Water and Sewer 6% Bonds dated July 1, 1919.

\$14,000.00 Water and Light Extension 6% Bonds dated September 1, 1922.

Bonds enumerated.

\$14,000.00 Street Improvement 6% Bonds dated November 1, 1923.

\$800.00 Water and Sewer System 6% Bonds dated February 1, 1925.

\$19,000.00 Street Improvement 5¾ % Bonds dated September 1, 1925.

\$20,000.00 Town of Warsaw 6% Bonds dated February 1, 1927.

\$10,000.00 Funding 6% Bonds dated June 1, 1929.

SEC. 2. The governing body of the Town of Warsaw is hereby authorized and empowered to issue in the name of the Town of Warsaw at one time or from time to time in accordance with the provisions of the Municipal Finance Act, as amended, and the Local Government Act, as amended, negotiable bonds of the town for the purpose of refunding and funding all or any part of the principal of said bonds and the interest which shall accrue thereon to the date of the bonds issued to fund the same.

Town of Warsaw authorized to issue refunding and funding bonds.

SEC. 3. All the taxable property in said town shall be subject to the levy of a tax for the payment of the principal and interest of all bonds herein authorized as provided by the Municipal Finance Act, as amended.

Tax levy authorized.

SEC. 4. The powers granted by this Act are granted in addition to and not in substitution for existing powers of said town.

Powers granted additional to existing powers.

SEC. 5. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 6. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 917

CHAPTER 460

AN ACT TO ABOLISH TAX PENALTIES IN ROWAN COUNTY AND PROVIDING A SIX PER CENT (6%) INTEREST RATE.

The General Assembly of North Carolina do enact:

Interest rate on 1936 and subsequent taxes, levied by Rowan County and municipalities therein.

SECTION 1. That any and all taxes levied by the County of Rowan, and by the municipalities therein, for the year one thousand nine hundred thirty-six and following years, shall bear interest at the rate of six per cent (6%) per annum from and after the first day of March following the due date of the taxes levied in one thousand nine hundred thirty-six and following years.

Conflicting laws repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be effective from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 939

CHAPTER 461

AN ACT TO INCORPORATE TUCKER'S GROVE CAMP GROUND ENCAMPMENT OF LINCOLN COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

"Tucker's Grove Camp Ground," Catawba Springs Township, Lincoln County, incorporated.

SECTION 1. That the Encampment lying in Catawba Springs Township, Lincoln County, North Carolina, known as Tucker's Grove Camp Ground be and the same is hereby incorporated by the name and style of "Tucker's Grove Camp Ground."

Corporate limits described.

SEC. 2. That the incorporate limits of said Camp Ground shall embrace all that tract or parcel of land conveyed to Wesley Abernethy and others, Trustees for Tucker's Grove Camp Ground, by C. G. Tucker and wife Mary E. Tucker, dated January first, one thousand eight hundred seventy-nine, and of record in Book fifty-three, page two hundred thirty, Office Register of Deeds, Lincoln County, North Carolina, containing five acres, more or less.

Commissioners and Mayor named to serve until regular election.

SEC. 3. That until the time of the first regular election of officers and the qualification of the officers elected, the government of the Encampment shall be vested in the following persons, to-wit:—J. Robert McNeilly, Mayor, Charlie Nixon, George Johnson, A. L. Morrison, D. P. Phinx, Garo Johnson, Rush Sherrill, Bradshaw King, Earnest Pharror and Eugene Burton, Commissioners.

SEC. 4. That the Camp Ground shall be considered as occupied for worship from the arrival of the first wagon to the departure of the last tent holder at any encampment.

Period of occupation of Camp Ground for worship, defined.

SEC. 5. That it shall be a misdemeanor for any person, firm or corporation to sell any candy, cigars, tobacco, lemonade, coca cola, soda water, ice cream, cider, beer, or any other articles of merchandise within one-quarter of a mile from the incorporated limits of Tucker's Grove Camp Ground, without first having secured a license from the proper authority governing said Camp Ground:—*Provided*, that this Act shall not apply to any person, firm or corporation who shall conduct a store and keep a stock of goods within said boundary for a period of six months preceding the regular meeting of said Camp Ground.

Sale of merchandise within quarter of mile of corporate limits, without license, made misdemeanor.

Exemptions.

SEC. 6. That the commissioners above named and their successors in office shall have full power and authority to enact such by-laws, rules and regulations as they deem best for the control, policing, management, upkeep and repair of the buildings and tents, regulation of license fees, sanitation and health, order of worship, finances, and in general to do whatever is necessary and requisite to run and control an orderly and religious Camp Meeting under the discipline of the Methodist Episcopal Church.

Commissioners authorized to prescribe regulations for management and control of religious Camp Meeting.

SEC. 7. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 8. That this Act shall be in full force from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 941

CHAPTER 462

AN ACT TO AMEND CHAPTER TWO HUNDRED FIFTY-FOUR, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-THREE, RELATING TO COMMISSIONS FOR COLLECTION OF TAXES IN WATAUGA COUNTY AND VALIDATING CERTAIN ACTS OF THE COUNTY COMMISSIONERS IN CONNECTION THEREWITH.

The General Assembly of North Carolina do enact:

SECTION 1. That section six of chapter two hundred fifty-four of the Public-Local Laws of one thousand nine hundred thirty-three, be and the same is hereby amended to read as follows:

Ch. 254, Public-Local Laws, 1933, amended.

"Sec. 6. That the Board of Commissioners are hereby authorized and empowered to fix the commission to be paid the Tax Collector for collection of taxes, which shall not exceed the following rates. Two and one-half per centum (2½%) on the

Commissioners, Watauga County, authorized to fix commissions of Tax Collector. Limitation.

Tax sales certificates returned to Tax Collector, after settlement.

Commissions on collections of delinquent taxes.

Action of Commissioners in paying commissions greater than fixed by statute, validated.

Conflicting laws repealed.

first fifty thousand dollars (\$50,000.00) collected; three and one-half per centum (3½%) on the next twenty-five thousand dollars (\$25,000.00), and four and one-half per centum (4½%) on the balance collected prior to the date of sale for unpaid taxes. All certificates of sale evidencing purchase by the county, shall immediately upon being allowed as a credit in the settlement of the Tax Collector with the County Commissioners be turned back to said Tax Collector, and the County Commissioners shall also fix the per centum, not exceeding five per centum (5%), to be allowed for the collection of same and for the collection of all other delinquent taxes of any years prior thereto."

SEC. 2. That the action of the Board of County Commissioners of Watauga County in paying a per centum for the collection of taxes in excess of that fixed by statute, be and the same is hereby in all respects validated.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 956

CHAPTER 463

AN ACT TO PROVIDE FOR THE DISTRIBUTION OF PROFITS FROM THE OPERATION OF LIQUOR STORES IN DAVIDSON COUNTY.

The General Assembly of North Carolina do enact:

Division of profits from liquor stores, between Davidson County and municipalities.

All profits from liquor stores outside municipalities retained by County.
Conflicting laws repealed.

SECTION 1. From the profits of any liquor stores which are or may hereafter be operated in Davidson County, the treasurer of said county shall, at the end of each quarterly period after an accounting has been received by him from the County Board of Alcoholic Control, pay over to the treasurer of each incorporated city or town within the county fifty per cent (50%) of the net profits received by the county from the operation of a liquor store or stores within such incorporated city or town. The County of Davidson shall retain all profits derived from liquor stores operated outside the corporate limits of any incorporated city or town.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 960

CHAPTER 464

AN ACT AMENDING SECTION SEVEN, CHAPTER THREE HUNDRED AND NINETY-EIGHT, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-THREE, RELATING TO THE SALARY AND COMPENSATION OF THE PROSECUTING ATTORNEY OF THE RECORDER'S COURT OF BLADEN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section seven, chapter three hundred and ninety-eight, Public-Local Laws of one thousand nine hundred and thirty-three, which section relates to the salary and compensation of the prosecuting attorney of the Recorder's Court of Bladen County, be and the same is hereby amended by striking out all of the provisions of said section and by inserting in lieu thereof the following:

Ch. 398, Public-Local Laws, 1933, amended.

"The prosecuting attorney of the Recorder's Court of Bladen County shall receive a salary of nine hundred dollars (\$900.00) per annum, payable monthly, the same to be in full compensation for all services of said prosecuting attorney."

Salary of prosecuting attorney, Recorder's Court of Bladen County.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after the first Monday in December, one thousand nine hundred and thirty-eight.

Effective date.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 961

CHAPTER 465

AN ACT RELATING TO THE RECORDER'S COURT OF BLADEN COUNTY, AND FIXING THE AMOUNT OF CERTAIN COSTS TO BE TAXED THEREIN.

The General Assembly of North Carolina do enact:

SECTION 1. That in each case disposed of by the Judge of the Recorder's Court of Bladen County, where the defendant is convicted or pleads guilty, there shall, in addition to other lawful costs, be taxed against the defendant as a part of the costs the sum of two dollars and fifty cents (\$2.50) if the offense of which the defendant is convicted or to which he pleads guilty is one within the jurisdiction of a justice of the peace, and/or the sum of seven dollars and fifty cents (\$7.50) if the offense of which the defendant is convicted or to which he pleads guilty is one outside the jurisdiction of a justice of the peace. And said sum shall be paid into the general fund of Bladen County, to be applied upon the salaries of the Judge and of the Prosecuting Attorney of said court.

Recorder's Court, Bladen County.

Additional costs provided.

Applied upon Salary of Judge and Prosecuting Attorney.

Conflicting laws
repealed.

Effective date.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after the first Monday in December, one thousand nine hundred thirty-eight.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 962

CHAPTER 466

AN ACT RELATING TO THE RE-INDEXING OF THE RECORDS IN THE OFFICE OF THE REGISTER OF DEEDS OF HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

Re-indexing of
records in Haywood
County Register of
Deeds' office,
approved.

New index, upon
completion, declared
official index
system.

Acceptance and use
of new index sys-
tem authorized.

Acts of Register and
Commissioners in
use of said index,
validated.

SECTION 1. That the re-indexing of the records in the office of the Register of Deeds of Haywood County, under the supervision of J. T. Gribble, is hereby ratified and approved, and the acts of the Board of Commissioners of said county in authorizing the same are hereby approved and authorized, and the records of the said new index when completed, are hereby declared to be the official index system of said office of the Register of Deeds of Haywood County, and C. C. Francis, Register of Deeds of Haywood County, and his successors in office, are hereby authorized to accept and use the records of said new index system, including the volumes that have been completed and the volumes to be completed, as the official index of said office, and the acts of the Register of Deeds and the Board of County Commissioners in the use of said index are hereby ratified, validated and approved.

SEC. 2. This Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 965

CHAPTER 467

AN ACT FIXING THE AMOUNT OF TAXES UPON WHICH THE SHERIFF OF PERQUIMANS COUNTY SHALL BE ENTITLED TO COMMISSIONS.

The General Assembly of North Carolina do enact:

Commissioners,
Perquimans County,
authorized to allow
Sheriff commissions
on current taxes,
collected either by
Accountant or other
person.

SECTION 1. That the County Commissioners of Perquimans County are hereby authorized and empowered, in making settlement with the Sheriff of Perquimans County for taxes collected for the current year of one thousand nine hundred thirty-six and

also subsequent years, to consider and allow commissions on all current taxes collected either by the sheriff, county accountant or other person for the county up to the time of the settlement of the sheriff with the county for the taxes for the then current year.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 974

CHAPTER 468

AN ACT TO PERMIT THE HOLDING OF COUNTY FAIRS IN SCOTLAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall not be unlawful for any person, firm, or corporation to hold, promote, or operate any County Fair in Scotland County, in conformity to the General Statutes of North Carolina, regulating the operation of County Fairs.

Operation of County Fairs in Scotland County, permitted.

SEC. 2. All laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 984

CHAPTER 469

AN ACT RELATING TO THE DIVISION OF PROFITS FROM ANY LIQUOR CONTROL STORES LOCATED IN DURHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That in the event any liquor control stores are located in Durham County under the authority of chapter forty-nine of the Public Laws of one thousand nine hundred and thirty-seven, and any acts amendatory thereof, one-half of the surplus net profits derived from the operation of any liquor control stores located in the City of Durham shall be paid into the general fund of the City of Durham.

One half net profits of liquor stores, located in City of Durham, payable to City.

SEC. 2. The remainder of all surplus net profits derived from the operation of any liquor control stores in the city and/or County of Durham shall be paid into the general county fund for Durham County.

Remainder of profits from stores in city or Durham County, payable to county.

SEC. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 993

CHAPTER 470

AN ACT TO VALIDATE THE OFFICIAL ACTS OF M. K. CLARK, JUSTICE OF THE PEACE OF FRANKLIN COUNTY, NORTH CAROLINA.

Preamble: Duties of Justice of the Peace exercised by M. K. Clark without taking oath.

Whereas, M. K. Clark was duly appointed a Justice of the Peace of Franklin County by the Legislature on January first, one thousand nine hundred seven, and said Justice of the Peace qualified on January first, one thousand nine hundred seven, but inadvertently failed to sign the oath prescribed for Justices of the Peace, and thereafter proceeded to exercise the duties conferred by law upon Justices of the Peace, and among said duties acknowledged the probate on various and sundry instruments and conveyances until the expiration of his term of office on April first, one thousand nine hundred thirteen: *Now, Therefore, The General Assembly of North Carolina do enact:*

Official acts of M. K. Clark, as Justice of the Peace, validated.

SECTION 1. That each and all of the official acts of M. K. Clark, Justice of the Peace above named, be, and the same are hereby validated and all such instruments as were acknowledged or probated before such Justice of the Peace shall have the same force and effect as if said Justice of the Peace had taken and signed the oath of office as prescribed by law.

Instruments acknowledged before M. K. Clark, as J. P., validated.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 996

CHAPTER 471

AN ACT TO PROVIDE FOR A DIVISION OF LIQUOR PROFITS IN NEW HANOVER COUNTY.

The General Assembly of North Carolina do enact:

Division of profits from liquor stores in New Hanover County.

SECTION 1. That the profits arising from the sale of alcoholic beverages under the terms of chapter four hundred eighteen, Public Laws of one thousand nine hundred thirty-five, and House Bill fifty-five of the present session of the General Assembly shall be distributed in New Hanover County as follows:

All of profits from stores in unincorporated areas payable to county.

When the county store is located in an unincorporated area, one hundred percent of the profits received from the sale of alcoholic beverages shall revert to the General Fund of New Hanover County for expenditure of said county as may be authorized by law.

When said stores are located in the incorporated area of the City of Wilmington sixty-six and two-thirds percent of the

profits of said units shall revert to the General Fund of the City of Wilmington, and thirty-three and one-third percent to the General Fund of the County of New Hanover for use as heretofore provided.

When the county store or unit is located within the Town of Wrightsville Beach or the Town of Carolina Beach, seventy-five percent of the profits of said units shall revert to the general fund of the city or town, and twenty-five percent to the General Fund of the County of New Hanover for use as heretofore provided. *However*, saving and excepting from all such divisions five percent which shall be expended under allocation by the board for the enforcement of the provisions of all laws regarding the sale, manufacture and use of all beverages described in chapter session of the present session of the General Assembly.

SEC. 2. The divisions of said profits from the sale of alcoholic beverages shall be determined and disbursed as of the first days of January, April, July and October of each year.

SEC. 3. All laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 4. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, 1937.

Division of profits of stores within Wilmington between Wilmington and county.

Division of profits of stores within Wrightsville Beach and Carolina Beach between county and respective towns.

Expenditures for enforcement.

Dates fixed for division and disbursement.

Conflicting laws repealed.

H. B. 999

CHAPTER 472

AN ACT TO PROVIDE SCHEDULE OF FEES TO BE COLLECTED BY THE CLERK OF THE SUPERIOR COURT IN JONES COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the fees of the Clerk of the Superior Court of Jones County, whether he be paid for his services on a salary basis, or in lieu of salary receive the fees, shall be the following and no other for the services designated herein, namely:

(1) Advertising and selling under mortgage in lieu of bond, five per cent of sale price.

(2) Adoption; petition, affidavit, order, letters and recording five dollars.

(3) Affidavits, including jurat and certificate fifty cents.

(4) Appeal from clerk to Judge one dollar.

(5) Appeal to the Superior Court, including certificate and seal two dollars.

(6) Appeal to Supreme Court, including certificate and seal five dollars.

(7) Appointing and qualifying Justice of the Peace to be paid by the justice one dollar.

Schedule of fees of C. S. C., Jones County.

Sale under mortgage in lieu of bond.

Adoption proceeding.

Affidavits.

Appeal to Judge.
Appeal to
Superior Court.

Appeal to
Supreme Court.

Qualification of
J. P.

Apprenticing infant.

(8) Apprenticing infant, including indenture one dollar.

Order in attachment.

(9) Attachment, order in, one dollar.

Appointment of administrator.

(10) Administrator, appointment of, including taking bond and justification, five dollars.

Auditing annual accounts of fiduciaries, etc.

(11) Auditing annual accounts of receivers, executors, guardians, administrators, administrators with will annexed, trustees or incompetents, trustees under wills, surviving partner, where the total receipts and disbursements do not exceed eleven thousand dollars the fee shall be fifty cents for each one hundred dollars on receipts and disbursements or a fraction thereof through one thousand dollars. If the receipts and disbursements exceed one thousand dollars, the fee shall be for the receipts and disbursements above one thousand dollars, ten cents on each hundred dollars or a fraction thereof through eleven thousand dollars. When the receipts and disbursements exceed eleven thousand dollars the fee for the amount of same above eleven thousand dollars shall be one-tenth of one per cent of the amount of receipts and disbursements in excess of eleven thousand dollars, but in no event shall the fee be less than four dollars, or more than twenty-five dollars.

Minimum and maximum fees.

(12) Auditing final accounts of receivers, executors, administrators, administrators with will annexed, collectors, trustees, trustees for incompetents, trustees under wills, guardians or surviving partner, the fee shall be one dollar for each one hundred dollars or a fraction thereof of the total receipts and disbursements through one thousand dollars, and twenty cents per each one hundred dollars or a fraction thereof on everything above one thousand dollars, but in no event shall the fee be less than five dollars; *provided*, that when stocks, bonds or other personal property is delivered to any heir or distributee without converting the same into cash, these fees shall be computed and charged on the same just as though they had been converted into cash; the value of said stocks, bonds, etc., to be fixed as of the date of death, or qualification of the fiduciary.

Auditing final accounts of fiduciaries, etc.

Auditing final accounts of trustees, mortgagees, etc. selling real estate under foreclosure.

(13) Auditing final accounts of trustees, mortgages, commissioners, or other persons, firms or corporations selling real estate under foreclosure proceeding required to render such final report, the fee shall be fifty cents on each one hundred dollars of receipts and disbursements through one thousand dollars and twenty cents on each one hundred dollars for everything above one thousand dollars; *provided* that the minimum fee shall be two dollars and fifty cents and the maximum fee shall not exceed fifty dollars.

Minimum and maximum fees.

Order of arrest.

(14) Arrest: order of arrest, one dollar as to each defendant.

Bill of costs.

(15) Bill of costs, preparing same, one dollar.

Justification of undertaking.

(16) Bond of undertaking, including justification, seventy-five cents.

Cancellation of lis pendens.

(17) Cancelling notice of lis pendens, fifty cents.

Capias.

(18) Capias: each defendant, one dollar, whether defendant is arrested or not.

- | | |
|--|--|
| (19) Caveat to a will, entering and docketing same for trial, two dollars and fifty cents. | Entering caveat to will. |
| (20) Certificate, (including certificate on indictment) except where it is a charge against the county, seventy-five cents, and where it is a charge against the county, fifty cents. | Certificate. |
| (21) Commission, issuing, seventy-five cents. | Issuing commission. |
| (22) Confirmation of all matters, one dollar. | Confirmation. |
| (23) Continuance, one dollar. | Continuance. |
| (24) Docketing ex parte proceedings, one dollar. | Docketing ex parte proceedings. |
| (25) Docketing indictments, one dollar. | Docketing indictments. |
| (26) Docketing liens, one dollar. | Docketing liens. |
| (27) Docketing judgments, civil and criminal, one dollar. | Docketing judgments. |
| (28) Docketing summons, fifty cents. | Docketing summons. |
| (29) Execution and return thereon, including docketing, one dollar, and certifying return to clerk of any county where judgment is docketed, fifty cents. | Execution and return. |
| (30) Filing papers, twenty cents for each paper filed. | Filing papers. |
| (31) Filing and recording report of sales by commissioners and trustees, two dollars. | Recording report of sales. |
| (32) Executor, application and qualification of, five dollars. | Qualification of executor. |
| (33) Guardian, appointment of, including taking bond and justification, five dollars. | Appointment of guardian. |
| (34) Guardian ad litem; appointment of, one dollar. | Appointment of guardian ad litem. |
| (35) Hearing before the clerk, one dollar per hour for each hour, minimum fee to be not less than three dollars. | Hearing before Clerk. |
| (36) Impanelling jury, twenty-five cents. | Impanelling jury. |
| (37) Indexing judgment on cross-index book, twenty-five cents for first party indexed and ten cents for each additional name. | Indexing judgment. |
| (38) Indexing liens on lien book, twenty-five cents. | Indexing liens. |
| (39) Indexing lis pendens, fifty cents. | Indexing lis pendens. |
| (40) Indictment, each defendant in bill, one dollar. | Indictment. |
| (41) Injunction, order of, including taking bond and justification, one dollar. | Order of injunction. |
| (42) Inventory of administrators, administrators with will annexed, receivers, surviving partners, executors, guardians, collectors, trustees for incompetents and trustees under wills, seventy-five cents for affidavit, twenty-five cents for filing and twenty cents per hundred words for recording and two dollars for auditing. | Filing and recording inventory of administrators, etc. |
| (43) Judgment final, in term time, civil action, each defendant one dollar. | Judgment final in civil action. |
| (44) Judgment final, against each defendant in criminal action, one dollar. | Judgment final in criminal action. |
| (45) Judgment final, before the clerk, each defendant, one dollar. | Judgment final before Clerk. |
| (46) Judgment by confession, without notice, all services, three dollars. | Judgment by confession. |
| (47) Judgment in favor of widow for year's support, one dollar, and for docketing same, fifty cents. | Judgment for widows' year's support. |

Judgment nisi on bail bond.

Juror ticket.

Justification of sureties.

Letters of administration, etc.

Entry of motions.

Notices.

Notifying solicitor of guardian's removal.

Order extending time for pleading.

Interlocutory orders.

General orders.

Order for appearance of apprentice or master.

Probate of certain instruments.

Postage.

Presentment.

Probate of lien bond, etc.

Probate of instruments proved by witness.

Probate of instruments acknowledged by several signers.

Probate of instruments executed by a married woman.

Probate of Federal crop liens, etc.

Probate of limited partnership.

Probate of will, letters testamentary.

Qualification of J. P.

(48) Judgment nisi, entered against a defaulting witness or juror, on bail bond or recognizance, one dollar.

(49) Juror ticket, including jurat, ten cents.

(50) Justification of sureties on any bond or undertaking, except as otherwise provided, seventy-five cents.

(51) Letters of administration, guardianship and letters testamentary, one dollar.

(52) Motions, entry and record of, in civil and criminal actions, each fifty cents.

(53) Notices, twenty-five cents for each name.

(54) Notifying solicitor of removal of guardian, one dollar.

(55) Order enlarging time for pleading in special proceedings and civil actions, twenty-five cents; and all other interlocutory orders therein fifty cents.

(56) Orders, general, one dollar.

(57) Order for appearing of apprentice, on complaint of master, one dollar; for appearance of master, on complaint of apprentice, one dollar.

(58) Order for the registration of a deed or other writing, which has been proved or acknowledged in another county, or before a judge, justice, notary, or other officer, except a chattel mortgage, twenty-five cents.

(59) Postage, amount necessarily expended.

(60) Presentment, each person presented, twenty cents.

(61) Probate of a short form lien bond, or a lien bond and chattel mortgage combined, fifteen cents.

(62) Probate of a deed or other writing, except as otherwise provided, proved by a witness, including certificate twenty-five cents.

(63) Probate of a deed or other writing, acknowledged by the signers or makers, including all except married women, who acknowledged at the same time, with the certificate thereof, twenty-five cents, each name.

(64) Probate of a deed or other writing, executed by a married woman, for her acknowledgement and private examination, with the certificate thereof, twenty-five cents.

(65) Probate of a Federal crop lien or a Federal chattel mortgage, given to secure a seed and fertilizer loan from the United States government or crop production, live-stock loans or other loans made by the regional agriculture credit corporation of North Carolina as provided by the Farm Credit Act of Congress of one thousand nine hundred and thirty-three, or the North Carolina Rural Rehabilitation Corporation, or other relief organizations by relief clients, shall be limited to twenty-five cents.

(66) Probate of limited partnership, one dollar.

(67) Probate of a will in common form, and letters testamentary, two dollars.

(68) Qualifying Justice of the Peace, to be paid by the justice, one dollar.

- (69) Qualifying Notary Public, to be paid by the notary, one dollar. Qualification of Notary Public.
- (70) Qualifying members of the Board of Commissioners, to be paid by the commissioners, fifty cents. Qualification of County Commissioners.
- (71) Recognizance, each party where no bond is taken, twenty-five cents. Recognizance.
- (72) Recording and copying papers, per copy sheet of one hundred words, twenty-five cents. Recording and copying papers.
- (73) Recording appointment of process agent for nonresident, one dollar. Recording appointment of process agent.
- (74) Recording names, qualification and expiration of term of office of justice of the peace, ten cents each name. Recording names, qualification, etc. of J. P.
- (75) Registering trained nurses, including certificate of registration, one dollar. Registration of trained nurses.
- (76) Recording certificate of incorporation of corporations, three dollars. Recording corporation certificate.
- (77) Recording in minutes, each case, one dollar. Recording minutes.
- (78) Recording names of jurors as required by law, fifteen cents, each name. Recording names of jurors.
- (79) Resignation of guardian, relinquishment of right to administer, or qualify as executor, receiving, filing and noting same, one dollar. Filing resignation of guardian, etc.
- (80) Seal of office when necessary, twenty-five cents. Affixing seal.
- (81) Subpoena, each name, thirty cents. Issuing subpoenas.
- (82) Summons, issuing original in any action, one dollar, and for every copy thereof, twenty-five cents. Issuing summons.
- (83) Transcript of judgment, seventy-five cents, with seal, one dollar. Transcript of judgment.
- (84) Transcript of any matter of record or paper on file, per copy of one hundred words, twenty-five cents. Transcript of other matters.
- (85) Trial of any cause, or stating an account, as referee, pursuant to order of the judge, such allowance as the judge may make. Acting as referee.
- (86) Warrant, one dollar. Warrant.
- (87) Witness ticket, including jurat, ten cents. Witness ticket.
- (88) For advance court costs, the clerk is authorized to collect a minimum on all suits started, the sum of ten dollars for one defendant and one dollar for each additional defendant, which fee shall include process tax and sheriff fee. Advance court costs.
- (89) Five per cent commission shall be allowed the clerk on all fines, penalties, amercements, and taxes paid the clerk by virtue of his office; and five per cent on all other sums of money placed in his hands by virtue of his office, except on judgments, decrees and executions. Commissions allowed Clerk on fines, etc. collected; on moneys placed in Clerk's hands.
- (90) For appointment of special coroner, (to be paid from county general fund) five dollars. Appointment of special coroner.
- (91) For each set of lunacy papers together with ten cents per mile for each and every mile necessarily traveled to make examination (to be paid from county general fund) five dollars. Lunacy papers.

Preparation of
court dockets.

Necessary clerical
expenses.

Keeping minutes
of court.

Conflicting laws
repealed.

(92) For preparing court dockets, each copy (to be paid from county general fund) seven dollars.

(93) For necessary clerical expenses, (to be paid from county general fund).

(94) For keeping minutes of court, per day, (to be paid from county general fund) four dollars.

SEC. 2. That all laws and clauses of laws providing for the fees to be collected by the Clerk of the Superior Court, which are in conflict with the provisions of this Act, whether special, local, public-local or general, are hereby expressly repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 1003

CHAPTER 473

AN ACT RELATING TO THE SALARY OF THE CORONER OF WARREN COUNTY.

The General Assembly of North Carolina do enact:

Salary of coroner,
Warren County.

Mileage allowance.

Conflicting laws
repealed.

SECTION 1. That in lieu of all fees now allowed the coroner of Warren County, he shall receive a salary of twenty-five dollars (\$25.00) per month and an allowance of five cents per mile for each mile traveled in the performance of his duties as coroner.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 1010

CHAPTER 474

AN ACT TO PROVIDE FOR A TAX ASSESSOR FOR RICHMOND COUNTY.

The General Assembly of North Carolina do enact:

Appointment of
tax assessor, Rich-
mond County.
Term.

Duties.

SECTION 1. That the Board of County Commissioners of Richmond County are hereby authorized, empowered and directed to appoint a full time tax assessor for said county for a period of one year, and they may continue said tax assessor, if in their discretion the same is necessary.

SEC. 2. That it shall be the duty of the said tax assessor to go over the tax books of said county with reference to equaliz-

ing the valuation of all property in Richmond County, and making adjustments therein. That the said tax assessor shall receive an annual salary of one thousand two hundred dollars, payable monthly, out of the general county funds.

Salary.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 1015

CHAPTER 475

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF MOORE COUNTY TO FIX THE COMPENSATION OF MEMBERS OF SAID BOARD INCLUDING THE CHAIRMAN THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Moore County, be and they are hereby authorized to fix the compensation of the members of said board and to allow the chairman thereof a salary not exceeding twenty-five dollars per month.

Board of Commissioners, Moore County, authorized to fix compensation of chairman and members.

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 1016

CHAPTER 476

AN ACT TO EXTEND THE TIME FOR PAYMENT OF STREET ASSESSMENTS IN THE TOWN OF ABERDEEN.

The General Assembly of North Carolina do enact:

SECTION 1. That the time for payment of all assessments heretofore levied by the Commissioners of the Town of Aberdeen against abutting property owners for and on account of paving, grading or otherwise improving any of the public streets or sidewalks in the Town of Aberdeen, is hereby extended so as to be payable in ten equal annual installments beginning July first, one thousand nine hundred and thirty-seven. The amount of said installments shall draw interest from July first one thousand nine hundred and thirty-seven, at the rate of six per centum per annum, *provided*, that if any property owner or other person legally liable therefor shall fail to pay any of said

Time for paying street and sidewalk assessments, Town of Aberdeen, extended.

Installment payments.

Interest.

Upon failure to pay any installment or interest, Commissioners authorized to declare entire assessment payable.

Enforcement of collection by sale.

Compilation of amounts of uncollected assessments and accrued interest.

Date of computation.

Installment payments.

Interest on computed amounts.

Construction of Act.

Conflicting laws repealed.

installments or interest as the same becomes due as provided for in this Act, the Board of Commissioners of said Town of Aberdeen may, at its option, declare the whole of said assessments and interest accrued thereon immediately due and payable, and may proceed to enforce collection of said assessments by the sale of the real estate against which said assessments have been levied in the same manner and under the same laws as real estate is sold for unpaid town taxes. The whole assessment may be paid at any time by the payment of principal and all interest accrued to that date.

SEC. 2. That it shall be the duty of the Board of Commissioners of the Town of Aberdeen, as soon as practicable after the ratification of this Act and before the first day of July, one thousand nine hundred and thirty-seven, to cause to be compiled the amounts and accrued interest on all uncollected assessments heretofore levied against property owners on account of paving, grading or otherwise improving any of the public streets or sidewalks of the Town of Aberdeen, said uncollected assessments and interest to be computed to the first day of July, one thousand nine hundred and thirty-seven, and thereafter the total amount of said assessments and interest accrued thereon shall be paid by the property owners against which said assessments have been made in ten equal annual installments beginning July first, one thousand nine hundred and thirty-seven, and thereafter said assessments and interest as so computed shall draw interest at the rate of six per centum per annum.

SEC. 3. That nothing contained in this Act shall be construed to effect any assessments heretofore paid, or where payment has been provided for by securities, assignments or otherwise.

SEC. 4. That all laws or parts of laws in conflict with this Act be and the same are hereby repealed.

SEC. 5. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 1022

CHAPTER 477

AN ACT TO AMEND CHAPTER THREE HUNDRED EIGHTY-TWO OF THE LAWS OF NORTH CAROLINA, SESSION OF ONE THOUSAND EIGHT HUNDRED EIGHTY-SEVEN RELATING TO THE GRADED SCHOOLS OF GOLDSBORO TOWNSHIP IN WAYNE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section five, chapter three hundred eighty-two of the laws of North Carolina, session of one thousand eight

hundred eighty-seven, be, and the same is hereby, amended to read as follows:

"SEC. 5(a). That John D. Langston, W. A. Dees, Lionel Weil, Mrs. J. N. Johnson, Mrs. R. Jack Smith, Frank B. Daniels, Arnold B. Edgerton, David J. Rose and W. G. Britt, and their successors in office, be, and they are hereby, constituted a body politic and corporate, under the name and style of Trustees of the Goldsboro Graded Schools, located in the City of Goldsboro, in Wayne County and under such name and style may sue and be sued, plead and be impleaded, and do and perform all such acts as pertain to bodies politic and corporate. That the first three persons named herein shall serve until June thirtieth, one thousand nine hundred thirty-nine, and until their successors are elected and qualified; that the next three persons named herein shall serve until June thirtieth, one thousand nine hundred forty-one, and until their successors are elected and qualified; and the last three persons named herein shall serve until June thirtieth, one thousand nine hundred forty-three, and until their successors are elected and qualified. That as the terms of the members of said Trustees of the Goldsboro Graded Schools shall expire the County Board of Education of Wayne County shall appoint three members of said trustees to serve for a term of six years and until their successors are elected and qualified. That in case of the death or resignation of any trustee, the said County Board of Education of Wayne County shall appoint a member to serve for the unexpired term of such member so dying or resigning.

"(b). That the said Trustees of the Goldsboro Graded Schools shall have power and authority to employ and fix the compensation of a superintendent, teachers, janitors and such other employees as are necessary, and shall also have power and authority to do and perform all other acts and things necessary or expedient for the maintenance and conduct of said schools."

SEC. 2. That all acts of the Trustees of the Goldsboro Graded Schools, and all acts of those persons who have purported to act as such trustees, heretofore done or performed in the maintenance and conduct of said schools are hereby, in all respects, approved and validated.

SEC. 3. That all laws and clauses of laws in conflict with this Act are, to the extent of such conflict, hereby repealed.

SEC. 4. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

Trustees of Goldsboro Graded School, named.

Body politic and corporate.

Powers.

Staggered terms.

Successor appointments.

Vacancy appointments.

Employment and compensation of superintendent, teachers, etc.

Act's of persons purporting to act as Trustees of Goldsboro Graded Schools, validated.

Conflicting laws repealed.

H. B. 1023

CHAPTER 478

AN ACT TO PROVIDE FOUR YEAR TERMS OF OFFICE
FOR ELECTIVE OFFICIALS FOR THE TOWN OF OX-
FORD, NORTH CAROLINA.*The General Assembly of North Carolina do enact:*

Four year terms
provided for elective
officials of Town
of Oxford.

SECTION 1. That the terms of office of all municipal officials elected by the qualified electors of the Town of Oxford, North Carolina, shall be for four years, effective at the next regular municipal election at which such officials are to be elected.

Right of recall.

SEC. 2. That nothing in this Act shall in any way repeal the right of recall of any municipal official as provided in section two thousand eight hundred eighty-five of the Consolidated Statutes of North Carolina or any other laws providing for the recall of elective municipal officials.

Conflicting laws
repealed.

SEC. 3. That all laws and clauses of laws including any Public, Private or Local Laws, that are inconsistent or in conflict with this Act, are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 1025

CHAPTER 479

AN ACT TO VALIDATE SALES OF LAND FOR TAXES IN
GRANVILLE COUNTY.*The General Assembly of North Carolina do enact:*

Tax sales for 1934,
1935 taxes by
Sheriff of Granville
County, validated.

SECTION 1. That any and all sales of land held and conducted by the Sheriff of Granville County for failure to pay the taxes levied for the years one thousand nine hundred and thirty-four and one thousand nine hundred thirty-five, on any day subsequent to or other than the day fixed by law for such sales, are hereby ratified, confirmed and validated, and all tax sale certificates issued pursuant to such sales are hereby ratified, confirmed and validated; and said sales and certificates issued pursuant thereto shall have the same force and legal effect as if said sales had been held and conducted on the day prescribed by law.

Tax sales certificates
validated.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

Conflicting laws
repealed.

H. B. 1027

CHAPTER 480

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF GRANVILLE COUNTY TO FIX THE BOND OF THE SHERIFF AND OF THE CLERK OF SUPERIOR COURT.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Granville County is hereby authorized and empowered, at any time at which the sheriff or Clerk of Superior Court of said county is required by law to furnish or renew his official bond, to fix the amount of said bond in such sum as in the opinion of said board is sufficient: *Provided*, that in no event shall the bond of either of said officials be fixed at less than ten thousand (\$10,000.00) dollars.

Commissioners of Granville County authorized to fix bonds of Sheriff and C. S. C.

Minimum.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 1028

CHAPTER 481

AN ACT TO PROVIDE FOR DIVISION BETWEEN COUNTY AND INCORPORATED TOWNS OF PROFITS FROM ALCOHOLIC STORES IN McDOWELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the net profits, under the provision of the Alcoholic Beverage Control Act of one thousand nine hundred thirty-seven, from any alcoholic beverage store established in any incorporated town in McDowell County, shall be divided equally between the County of McDowell and the incorporated town in which such store is situated, and the same shall be paid into the general fund of the county and incorporated town respectively.

Net profits from liquor stores within municipalities in McDowell County, divided between county and municipalities.

SEC. 2. That all laws and clauses of law in conflict with this Act are hereby repealed to the extent of such conflict.

Conflicting laws repealed.

SEC. 3. That this Act shall be effective only in the event and from the date of the establishment of alcoholic beverage stores under the provisions of the Alcoholic Beverage Control Act of one thousand nine hundred thirty-seven.

Effective date.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 1030

CHAPTER 482

AN ACT TO REGULATE AND FIX THE FEES OF JUSTICES OF THE PEACE OF SURRY COUNTY.

The General Assembly of North Carolina do enact:

Schedule of fees
for justices of the
peace, Surry County.

SECTION 1. That the Justices of the Peace of Surry County shall receive the following fees and none other:

Issuing summons, sixty cents where there is only one defendant and the sum of twenty cents for each additional defendant; trial and judgment, one dollar; docketing judgment, twenty-five cents; issuing subpoena, fifteen cents for each witness; taking affidavit in any proceeding, twenty-five cents; jury trial and verdict, one dollar; issuing execution, twenty-five cents; return to notice of appeal, thirty-five cents; warrant of arrest in criminal actions, one dollar; warrant of commitment, fifty cents; issuing claim and delivery papers, including summons, affidavit, bond, order for seizure of property, trial of issues joined, two dollars and fifty cents; issuing attachment papers, including application, affidavit, bond, order of levy and seizure, judgment and trial, two dollars and fifty cents; recognizance of witnesses, ten cents for each name: *Provided*, not more than three witnesses shall be recognized except in cases of felonies; affidavit and order of removal, fifty cents; capias and order, one dollar; probate or acknowledgment of deed or other instrument in writing required or admitted to registration, twenty-five cents for each signer thereof; taking of any bond, twenty-five cents; allotting widow's years' allowance, one dollar; the taking of depositions, twenty cents for each copy sheet; garnishment for taxes, fifty cents; issuing notices, twenty cents for each copy; filing and docketing lien, seventy-five cents.

Conflicting laws
repealed.

SEC. 2. That all laws and clauses of laws in conflict herewith are herewith repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 1032

CHAPTER 483

AN ACT TO ENABLE THE COUNTY OF NEW HANOVER AND THE CITY OF WILMINGTON TO MAKE PROPER PROVISION FOR THE MAINTENANCE OF THE INDIGENT SICK AND AFFLICTED POOR.

Preamble: Annual
appropriations by
Wilmington and New
Hanover County, to-
ward support of
Community Hospital.

Whereas, the Board of Commissioners of New Hanover County and the Council of the City of Wilmington have been making annual appropriations toward the support of the Community Hospital of Wilmington; and

Whereas, the said hospital has been providing medical attention and hospital treatment for the indigent sick and afflicted poor of the City of Wilmington and County of New Hanover, as required by the Council of the City of Wilmington and the Board of Commissioners of the County of New Hanover; and

Whereas, there has been a substantial increase in the number of indigent sick and afflicted poor and an increase in the demand for their proper care and maintenance; and

Whereas, the appropriations heretofore made to said hospital for the purposes aforesaid, are now insufficient to properly care for and maintain the indigent sick and afflicted poor of the City of Wilmington and County of New Hanover, and the present facilities of said hospital have been found to be inadequate for said purposes, and it is now necessary to make additions to said hospital and increase its facilities in order to enable it to more adequately provide for and maintain the indigent sick and afflicted poor of the said City of Wilmington and County of New Hanover, as required by the said city and county; and

Whereas, the Board of Commissioners of New Hanover County and the Council of the City of Wilmington, after due consideration, find that not exceeding an annual maximum appropriation of ten thousand dollars (\$10,000.00) each by the said respective boards to the said hospital for the purposes aforesaid will be required to give proper medical and hospital attention to the indigent sick and afflicted poor of said City of Wilmington and County of New Hanover and to provide for their maintenance, and that such maintenance and care is a necessary expense, and that provision for the poor and unfortunate is one of the first duties of government and their proper care and maintenance is required under the law and Constitution of the State of North Carolina, and the Community Hospital having agreed to give proper medical care and attention to the indigent sick and afflicted poor, as required by said respective municipalities upon their appropriating annually the sums of money aforesaid: *Now, Therefore,*

The General Assembly of North Carolina do enact:

SECTION 1. That the foregoing agreement entered into between the Board of Commissioners of New Hanover County, the Council of the City of Wilmington, and the Community Hospital in said city, whereby it is agreed that said hospital will provide proper medical and hospital attention for the care and maintenance of the indigent sick and afflicted poor as may be required by said city and county upon the payment by them to said hospital of not exceeding an annual maximum payment of ten thousand dollars (\$10,000.00) for a period of three successive years by each of said respective municipalities, is hereby ratified and approved. Said payments shall be made in equal monthly installments, beginning with the fiscal year starting July first, one thousand nine hundred thirty-seven, and until

Medical and hospital attention provided by said hospital for indigents of city and county.

Increase in demand for hospital service for indigents.

Additions to hospital and increase in facilities necessary.

Appropriations to hospital required for proper hospitalization and medical care of indigents.

Care of indigent sick a necessary expense and duty of government.

Agreement between hospital and respective municipalities.

Agreement between Community Hospital and Wilmington and New Hanover County, relative to hospital care for indigents, approved.

Installment payments.

Continuation of
present appropriations.

Expenditures de-
clared necessary
and proper.

New Hanover County
Commissioners, City
Council of Wil-
mington, directed
to perform contract.

Additional tax levy
by city or county
authorized.

Authorized appropria-
tions obligatory only
upon grant of funds
to hospital by
P. W. A.

Conflicting laws
repealed.

the beginning of said fiscal period the appropriations now being made by said municipalities to said hospital shall continue to the end of the current fiscal year. The said expenditures by this Act authorized are hereby found to be proper and necessary for the adequate maintenance and care of the indigent sick and afflicted poor of the said city and county, and the same constitute a necessary expense, and is one of the first duties of government and required under the laws and Constitution of the State of North Carolina.

SEC. 2. That the Board of Commissioners of New Hanover County and the Council of the City of Wilmington are hereby authorized, empowered, and directed to carry out and perform their contract and agreement with the Community Hospital, in the City of Wilmington, and the said Board of Commissioners and the said City Council are each authorized, empowered, and directed to pay, for a period of three successive years, to the said Community Hospital not exceeding annually the maximum sum of ten thousand dollars (\$10,000.00), to be paid in the manner and at the times set forth in section one, to enable it to increase its facilities and make additions thereto to care for and maintain the indigent sick and afflicted poor of the City of Wilmington and County of New Hanover, as required by said respective municipalities.

SEC. 3. That in the event the said Board of Commissioners of New Hanover County and the Council of the City of Wilmington, in order to make and pay, during the said period of three successive years, the aforesaid annual appropriations and payments to the said hospital, find it, respectively, necessary to annually levy any additional taxes for the special purposes aforesaid, they and each of them, and their respective successors in office, are hereby authorized, empowered, and directed to levy and collect such additional taxes as may be necessary for the purpose of complying with and making annually, during said period, the said appropriations for the purposes aforesaid.

SEC. 4. That the appropriations herein authorized are for the purpose of supplying fifty-five percent of any sum of money which the Public Works Administration of the Federal Government shall grant to said Community Hospital, and in the event that the said grant should not be made by the said agency of the Federal Government then it shall not be obligatory upon the said City of Wilmington and the said County of New Hanover to make the appropriations herein authorized.

SEC. 5. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 6. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 1038

CHAPTER 484

AN ACT RELATIVE TO THE ALCOHOLIC CONTROL
BOARD OF WAYNE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. From the net profits of any liquor stores which are or may hereafter be operated in Wayne County, the treasurer of said county shall, at the end of each quarterly period after an accounting has been received by him from the County Board of Alcoholic Control, pay over to the treasurer of each incorporated city or town within the county twenty-five per cent of the net profit received by the county from the operation of a liquor store or stores within such incorporated city or town. The County of Wayne shall retain all profits derived from liquor stores operated outside the corporate limits of any incorporated city or town.

Net profits from liquor stores in incorporated towns in Wayne County, divided between respective towns and county.

All profits from stores outside incorporated towns, retained by county.

SEC. 2. Any and all amounts paid to any city or town by the county treasurer as a profit from the sale of alcoholic beverages shall be paid annually by said city or town in reduction of bonded indebtedness.

Use of funds by towns.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 4. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 1047

CHAPTER 485

AN ACT TO FACILITATE THE ASSESSMENT AND
EQUALIZATION OF PROPERTY VALUATIONS IN
HARNETT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners of Harnett County be, and they are hereby authorized and empowered to employ one or more persons having expert knowledge and acquaintance with building and construction costs, and values of mercantile stocks, to aid and assist the County Supervisor of Taxation, the List Takers and Assessors in all the several townships, wards or districts of Harnett County, and to advise with, aid and assist the Board of Equalization and Review in arriving at the true value in money of real and personal property in the County of Harnett. Such expert or experts so employed shall receive for their services such compensation as the Board of Commissioners of Harnett County may fix.

Appointment of experts to assist in assessment and equalization of property valuations, Harnett County.

Compensation.

Conflicting laws repealed.

Applies only to Harnett County.

SEC. 2. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. This Act shall apply only to Harnett County.

SEC. 4. This Act shall be in force from and after ratification. In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 1067

CHAPTER 486

AN ACT TO PROVIDE FOR THE OFFICE OF TAX COLLECTOR IN STANLY COUNTY.

The General Assembly of North Carolina do enact:

Establishment of office of Tax Collector, Stanly County.

Appointment of tax collector.

Term.

Employment and compensation of tax collector and assistants, etc.

Compensation of tax collector limited.

Powers.

Duties.

Bond.

Employment of attorney.

Compensation for legal services.

Approval.

Payment.

SECTION 1. The Board of Commissioners of Stanly County is hereby authorized and empowered to enact and establish the office of Tax Collector for Stanly County, and appoint a tax collector whose appointment shall be approved by the Local Government Commission. The term of the tax collector so appointed shall be for two years, unless otherwise relieved of his duties for good cause by the said board, by and with the approval of the Local Government Commission. The employment, salary and compensation of the said tax collector, and his deputies, assistants, clerks, and the other administrative expenses of said office shall be determined, fixed and approved by said Board of County Commissioners. The compensation of said tax collector shall not exceed three thousand (\$3,000.00) dollars per annum, which compensation is to be paid monthly in lieu of any and all other compensation, fees or salaries.

SEC. 2. That said tax collector herein provided for shall be vested with all of the powers and authority as is now and may hereafter be provided by law for sheriffs in the collection of taxes and levy and sale of land and personal property for taxes, and it shall be the duty of such tax collector to collect delinquent, as well as current taxes, and foreclose tax sales certificates, and shall be required to enter into bond in the sum of not less than fifty thousand (\$50,000.00) dollars, to be determined and approved by said board for the faithful discharge of the duties of said office. Whenever, in the opinion of the said tax collector, delinquent tax items cannot be collected without the institution of an action at law, he shall be entitled to, and is hereby authorized to, with the consent and approval of the Board of Commissioners, employ a practicing attorney of the Stanly Bar for such purpose. The compensation for legal services rendered said tax collector shall be approved by the tax collector and the Board of Commissioners and shall deduct the sum from the taxes so collected by the attorney, and the receipt given by the tax collector shall be in full settlement, satisfaction and release of the taxes so collected.

SEC. 3. That upon the creation of the office and appointment and qualification of the tax collector in and for said Stanly County as herein provided, the Sheriff of Stanly County, upon full settlement of taxes up to the date of transference of the collection of taxes to such tax collector shall be relieved of all further duties in connection therewith, and thereupon said sheriff and his security shall be discharged from further liability thereon.

Upon qualification of Tax Collector, Sheriff relieved of tax collecting duties.

SEC. 4. That upon the settlement and transfer of the duties as to the collection of taxes in Stanly County as aforesaid, the Board of Commissioners of said Stanly County are hereby authorized and empowered to fix the salary of the sheriff of said county: *Provided*, the salary of said sheriff shall not be fixed in excess of one hundred (\$100.00) dollars per month in addition to the fees of his office.

Commissioners authorized to fix Sheriff's salary.

Salary limitation.

SEC. 5. That the Board of Commissioners of Stanly County shall cause to be set up a system in the office of the tax collector, which shall be a centralized system for collecting, remitting and reporting all tax matters, and to be approved by the Local Government Commission, Raleigh, North Carolina.

Centralized system for collecting, remitting and reporting tax matters.

SEC. 6. That the Board of Commissioners shall designate where the daily funds shall be deposited by said tax collector, and he shall deposit said funds accordingly, to the credit of himself and the county accountant, and shall furnish to the county accountant and Board of Commissioners a statement showing the amount of property taxes, poll taxes, license taxes, etc., making up the amount of the daily deposit. The said tax collector and the county accountant shall, semi-monthly or oftener, if necessary, distribute the funds so deposited by the tax collector to the different funds for which said taxes levied, and shall draw vouchers to the Treasurer of Stanly County for the amounts distributed to each of said funds. The said tax collector shall be subject to all the pains and penalties that shall be required to perform all duties as now or hereafter imposed by law upon sheriffs or other tax collectors with respect to the collections and remittances of taxes to the proper authorities.

Daily deposits of collections in designated depositories.

Statements of daily deposits to auditor and Commissioners.

Distribution of sums deposited.

Responsibility of tax collector with respect to collecting and remitting taxes.

SEC. 7. The Board of Commissioners of Stanly County shall set up said office of tax collector on the first day of July, one thousand nine hundred and thirty-eight, and shall cause to be turned over to said tax collector, by the sheriff or other parties in possession of said tax books, all uncollected taxes outstanding on said date and all taxes thereafter levied and/or uncollected in said county; that on and after said first day of July, one thousand nine hundred and thirty-eight, said tax collector shall collect any and all taxes of every nature and kind whatsoever, including prepaid taxes, which it is now, or may hereafter be the duty of the sheriff to collect, and it shall not be the duty of the sheriff to collect any of said taxes after said date in Stanly County, but he shall turn over all his books of every kind to said tax collector.

Date of establishing office of tax collector.

Uncollected taxes turned over to tax collector.

Collection of taxes.

Release and settlement of sheriff.

Ch. 432, Public-
Local Laws, 1923,
repealed.

Effective date.

All other conflicting
laws repealed.

Effective date of
Act.

SEC. 8. Chapter four hundred and thirty-two of the Public-Local Laws of one thousand nine hundred and twenty-three is hereby repealed to take effect on and after the first Monday in December, one thousand nine hundred and thirty-eight. All other laws and clauses of laws in conflict with the provisions of this Act, so far as they relate to Stanly County only, are hereby repealed.

SEC. 9. This Act shall be in force from and after first day of July, one thousand nine hundred and thirty-eight.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 1069

CHAPTER 487

AN ACT TO PROHIBIT THE SALE OF FIREWORKS IN STANLY COUNTY.

The General Assembly of North Carolina do enact:

Fireworks prohibited,
Stanly County.

SECTION 1. That it shall be unlawful for any person, firm or corporation to sell or offer for sale, shoot, fire, discharge, display, or otherwise use or have possession of, any firecrackers, torpedoes, cap pistols, sky-rockets, Roman candles or other articles commonly known as fireworks in the County of Stanly.

Permits for public
exhibitions.

SEC. 2. That for the purposes of enforcing the provisions of this Act, the Sheriff of Stanly County and the chiefs of police in all municipalities within the county are hereby empowered and authorized to issue permits for use in connection with the conduct of public exhibitions, such as fairs, carnivals, shows of all descriptions and public celebrations, but only after satisfactory evidence is produced to the effect that said pyrotechnics will be used for the aforementioned purposes and none other. Any person desiring to secure a permit as aforementioned shall make application to the Sheriff of Stanly County in which said pyrotechnics are to be used or to the chief of police of the municipality in which said pyrotechnics are to be used.

Applications.

Punishment for
violations.

SEC. 3. That any person violating the provisions of this Act shall be punished with a fine not exceeding fifty dollars (\$50.00) or imprisoned not to exceed thirty days.

Conflicting laws
repealed.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 5. That this Act shall be in full force and effect from the date of its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 1100

CHAPTER 488

AN ACT TO AID IN THE ENFORCEMENT OF THE LAW
IN HENDERSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That hereafter the Court Cryer for Henderson County shall act as a full time officer, and be appointed by the sheriff of said county, he shall receive in lieu of all fees now allowed by law, the sum of one hundred dollars (\$100.00) per month payable out of the general fund of the county.

Appointment of Court Cryer, Henderson County, as full time officer.

Compensation.

SEC. 2. That the officers fee for the services of a warrant issued from any court in Henderson County shall be two dollars (\$2.00) and the fee for services of a civil summons shall be one dollar and fifty cents (\$1.50) which shall be taxed as a part of the regular cost by the court.

Officer's fee for serving warrant and civil summons.

SEC. 3. That the Board of Commissioners for Henderson County are hereby authorized in their discretion to employ a finger print expert to aid the peace officers of said county in the investigation of any offense and to pay such expert reasonable compensation for the services rendered; that such compensation as may have heretofore been paid for the services of a finger print expert in the investigation of offenses is hereby approved.

Employment of finger print expert.

Compensation.

Compensation previously paid for expert, approved.

SEC. 4. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 1110

CHAPTER 489

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF
BOUNDARIES OF THE BETHANY SCHOOL DISTRICT
IN ROCKINGHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Bethany School District in Rockingham County shall be divided into three districts, the boundaries of which shall be determined by the County Board of Education of Rockingham County in such a way that Monroeton School, Bethany School, and Huntsville School shall be in separate districts.

Division of Bethany School District, Rockingham County, into 3 districts.

Determination of boundaries.

SEC. 2. That this Act shall be in full force from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 1114

CHAPTER 490

AN ACT TO PROVIDE FOR THE OFFICE OF TAX COLLECTOR FOR DAVIDSON COUNTY.

The General Assembly of North Carolina do enact:

Commissioners,
Davidson County,
authorized to create
office of Tax
Collector.

Appointment of
Tax Collector.

Term.

Compensation of Tax
collector and assist-
ants, etc.

Powers and duties.

Collection of delin-
quent and current
taxes.

Bond.

Sheriff relieved of
tax collecting duties
after qualification of
tax collector.

Conflicting laws
repealed.

SECTION 1. That the Board of County Commissioners of Davidson County are hereby authorized and empowered, in the discretion of the board, to create and establish the office of Tax Collector in and for the County of Davidson, and to appoint a Tax Collector whose term of office shall be for one year, unless otherwise relieved of his duties by said board upon ten days notice thereof, and whose employment, salary or compensation and that of his deputies, assistants and clerks and administrative expenses of said office shall be determined, fixed and approved by the said Board of County Commissioners.

SEC. 2. That any Tax Collector appointed by the Board of Commissioners as herein provided for shall be vested with all the powers and authority and shall be responsible for all duties as are now, or may hereafter, be provided by law for sheriffs of the State of North Carolina in the collection of taxes and levy and sale of land and personal property for taxes in the County of Davidson and any such Tax Collector may also be authorized by said Board of Commissioners to collect delinquent as well as current taxes, and shall be required to enter into a bond for the faithful discharge of the duties of his office in a sum not less than the sheriff of the county would be required to give, said bond to be approved by said board.

SEC. 3. That upon the creation of the office and appointment and qualification of a Tax Collector in and for the said County of Davidson, as herein provided for, the Sheriff of Davidson County, upon full settlement of taxes up to the date of the transfer of the collection of taxes to such Tax Collector, shall be relieved of all further duties in connection therewith, and thereupon said sheriff and his surety shall be discharged from further liability thereof.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 5. That this Act shall be in force and effect from and after the date of its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 1123

CHAPTER 491

AN ACT TO REGULATE THE SELECTION OF AND THE TERM OF THE GRAND JURY FOR BURKE COUNTY.

The General Assembly of North Carolina do enact:

Selection of Grand
Jury, Burke County.

SECTION 1. That in the selection of the Grand Jury for Burke County for the Spring Term, beginning on the thirty-

first day of May, one thousand nine hundred thirty-seven, and annually thereafter, there should be drawn and summoned forty men in the same manner as now provided by law, from which a Grand Jury of eighteen shall be selected by the presiding Judge of the Superior Court, which said Grand Jury shall serve for a period of one year from the time of their selection.

Term.

SEC. 2. That the persons drawn for service in the Grand Jury at the term at which said Grand Jury are selected, and who are not selected to serve on the Grand Jury, shall serve on the Petit Jury for the week of the term at which the Grand Jury is selected: *Provided*, that at other terms of the Superior Court of Burke County, both civil and criminal, there shall be drawn and summoned in the manner now provided by law, twenty persons from which the jury for the term of court for which they are drawn shall be selected.

Selection of
Petit Jury.

SEC. 3. That at any time the Judge of the Superior Court presiding over either the civil or the criminal court of Burke County, may call said Grand Jury to assemble, and may deliver to said Grand Jury an additional charge, and the said presiding Judge may, in his discretion, in the event of any vacancy or vacancies occurring in the Grand Jury by reason of death, removal from the county, sickness, or otherwise, order such vacancy or vacancies filled by ordering sufficient jurors to fill such vacancy or vacancies from the jury box and such jurors so drawn shall take the oath prescribed by law and shall fill out the unexpired term of the jurors whose places they are drawn to fill. That the presiding Judge shall have the power, in his discretion, to appoint an Assistant Foreman of the Grand Jury for Burke County, and said assistant foreman so appointed shall, in the absence of or disqualification of the foreman, discharge the duties of the foreman of the Grand Jury.

Presiding Judge au-
thorized to assemble
Grand Jury and de-
liver additional
charge.Vacancies filled
by Judge.Judge empowered to
appoint Assistant
Foreman.

Duties.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws
repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 1126

CHAPTER 492

AN ACT TO AMEND CHAPTER TWO HUNDRED AND FIFTY-FOUR OF THE PRIVATE LAWS OF NORTH CAROLINA OF ONE THOUSAND NINE HUNDRED AND ELEVEN PERTAINING TO THE MAYOR AND RECORDER'S COURT FOR SPENCER.

The General Assembly of North Carolina do enact:

SECTION 1. That section five of chapter two hundred and fifty-four of the Private Laws of one thousand nine hundred and eleven is hereby repealed and the following inserted in lieu

Ch. 254, Private
Laws, 1911,
amended.

<p>Aldermen, Town of Spencer, authorized to fix salary of Recorder.</p> <p>Minimum.</p>	<p>thereof: that the recorder's salary shall be fixed by the Board of Aldermen of Spencer, North Carolina, and paid by the Town of Spencer in equal monthly installments, which said salary shall not be less than one hundred dollars (\$100.00) per annum, but may be increased at any time if in said board's judgment, the business and usefulness of the court justifies such increase.</p>
<p>Issuance of processes of Mayor and Re- corder's Court of Spencer.</p>	<p>SEC. 2. The Recorder, of the Mayor and Recorder's Court of Spencer, shall issue all processes of said court on affidavit to be returnable forthwith to said court and in case of the absence of said recorder, the clerk of said court, and prosecuting attorney thereof, or the Chief of Police of Spencer may issue said processes.</p>
<p>Appointment of clerk.</p>	<p>SEC. 3. That a clerk of court be appointed by the Board of Aldermen for the Town of Spencer for the Mayor and Recorder's Court for Spencer, who shall receive a salary of not less than twenty-five dollars (\$25.00) per annum to be paid by the Town of Spencer in equal monthly installments which said salary the Board of Aldermen may increase at any time, if in its judgment the business and usefulness of the court justifies such increase. Said appointment shall be for such a period of time as the board designates.</p>
<p>Salary.</p>	
<p>Term.</p>	
<p>Secs. 9 and 10, Ch. 254, Private Laws, 1911, rewritten.</p>	<p>SEC. 4. That sections nine and ten of chapter two hundred and fifty-four of the Private Laws of one thousand nine hundred and eleven are hereby repealed and the following be inserted in lieu thereof: It shall be the duty of the clerk of said court to keep an accurate and true record of all cases, fines, penalties, forfeitures and punishments of said court imposed by the Recorder of the Mayor and Recorder's Court of Spencer, and said record shall show the name of such offender and the nature of offense, the date of hearing and trial and the punishment imposed, which said record shall at all times be open and subject to inspection by the Board of Aldermen of the Town of Spencer, and all other persons desiring to see and inspect the said court's records. He shall keep a permanent docket for recording all processes issued by said court which shall conform to the dockets kept by the Clerk of Superior Court. He shall keep in proper files, to be provided by the town, the record of all cases which shall be disposed of in said court and the disposition made thereof.</p>
<p>Duties of clerk.</p>	
<p>Removal of clerk.</p>	<p>SEC. 5. The Board of Aldermen of the Town of Spencer shall at any time have the right to remove the clerk of said court either for incompetency or neglect of his duties of office and in the event of vacancy for any cause in said office the said board shall have the right to fill the same.</p>
<p>Vacancy filled by Aldermen.</p>	
<p>Punishment of persons pleading guilty or convicted.</p>	<p>SEC. 6. All persons pleading guilty, or convicted in said court of any offense of which said court has jurisdiction shall be fined and imprisoned according to law, and any person entering said plea of guilty, or who may be convicted of any offense may be taxed by the court with the payment of costs.</p>

SEC. 7. And in each case disposed of wherein the defendant is convicted or pleads guilty, the recorder shall in addition to other lawful costs be allowed to tax in the bill of costs the following fees against the defendant, viz: For the recorder of said court, two dollars and seventy-five cents (\$2.75); for the prosecuting attorney, two dollars (\$2.00); and for the clerk of the said court the sum of one dollar (\$1.00), all of these items of costs and other lawful costs shall be paid into the treasury of Spencer, North Carolina. All fines collected shall be paid by the clerk of said court to the county treasurer as provided by law and all fees allowed by law for an arrest or the serving of other process in a criminal action, when the same shall have been made by the sheriff, chief of police, or other officer who is on salary, shall be paid over to the Treasurer of the Town of Spencer for the use of said town and to reimburse it for the expense of supporting said court.

SEC. 8. That section six of chapter two hundred and fifty-four of said Private Laws of one thousand nine hundred and eleven be amended to read as follows; that there be inserted at the end of the seventh word in line one of section six: "Provided the said recorder deems it necessary."

SEC. 9. That the Mayor and Recorder's Court of Spencer, shall have the same authority for granting continuances, taking bonds, recognizances and rendering judgments on forfeited bonds and recognizances as is now vested by law in the Superior Courts of said state, and the rules of law regulating the issuing and service of notices against defendants and their sureties upon such bonds and recognizances, and all proceedings for taking and enforcing judgments in such cases shall be the same as is now provided in like cases for the Superior Courts of the state. Transcripts of any judgment rendered in any case may be docketed in the Superior Court of Rowan County in the same manner and with like effect of any other judgment docketed as provided by law in said court.

SEC. 10. The Recorder of the Mayor and Recorder's Court for Spencer shall have the same power to punish for contempt and as for contempt as is given the Superior Courts of this state by chapter seventeen of the Revisal of one thousand nine hundred and five of North Carolina, and the procedure in such matters shall be the same as is now provided for said Superior Courts.

SEC. 11. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 12. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

Additional fees as part of costs for recorder, prosecuting attorney and clerk.

Amounts.

Fines collected payable to County Treasurer.

Fees for arrests by salaried officer, payable to town treasurer.

Ch. 254, Private Laws, 1911, further amended.

Daily sessions of court required only when recorder deems it necessary.

Court's authority to grant continuances, take bonds, etc.

Procedure for taking and enforcing judgments on forfeited bonds.

Transcripts of judgments docketed in Superior Court of Rowan County.

Effect.

Recorder's power to punish for contempt.

Procedure.

Conflicting laws repealed.

H. B. 1197

CHAPTER 493

AN ACT AUTHORIZING THE SHERIFF OF CABARRUS COUNTY WITH THE APPROVAL OF THE BOARD OF COMMISSIONERS OF SAID COUNTY TO APPOINT NOT MORE THAN FOUR ADDITIONAL DEPUTIES TO PATROL THE UNPROTECTED RURAL SECTIONS OF SAID COUNTY.

The General Assembly of North Carolina do enact:

Appointment of 4
deputies sheriff for
rural sections, Cabar-
rus County, au-
thorized.

Duties.

Salary.

Transportation.

Construction of Act.

SECTION 1. That the Sheriff of Cabarrus County is hereby authorized and empowered, after first securing the approval of the Board of County Commissioners of said county, to appoint not more than four deputies whose principal duties shall be to enforce the laws in the rural sections of said county which do not now have adequate police protection.

SEC. 2. That the Board of Commissioners shall, when and if the appointment of the deputies mentioned in section one hereof is approved, fix the salary of the deputies and provide for the payment thereof and provide adequate means of transportation.

SEC. 3. That this Act is supplemental to all other laws relating to the appointment of deputies and shall not be construed as in any way limiting or qualifying the power to appoint deputies.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

S. B. 177

CHAPTER 494

AN ACT TO CREATE THE OFFICE OF TREASURER-TAX COLLECTOR OF IREDELL COUNTY, DESCRIBING THE DUTIES IMPOSED UPON SAID TREASURER-TAX COLLECTOR.

The General Assembly of North Carolina do enact:

Chs. 380 and 382,
Public-Local Laws,
1935, repealed.

Office of Treasurer-
Tax Collector, Ire-
dell County, created.

Powers and duties.

SECTION 1. That chapter three hundred and eighty and three hundred and eighty-two of the Public-Local Laws of the one thousand nine hundred and thirty-five General Assembly of North Carolina are hereby repealed.

SEC. 2. That there is hereby created the office of Treasurer-Tax Collector of Iredell County, upon which office is imposed the duties and conferred the powers relating to the office of treasurer as now provided by law, and in addition thereto all powers vested in and all duties relating to the collection of taxes imposed upon the offices of County Manager and County Accountant and Tax Collector for Iredell County; the office of said

Treasurer-Tax Collector shall be located in the Iredell County courthouse in a space to be provided by the Board of Commissioners of Iredell County.

SEC. 3. That from and after the first Monday in March, one thousand nine hundred and thirty-seven, all powers vested in the Treasurer of Iredell County and all duties imposed on said Treasurer, and all powers and duties vested in or imposed upon the County Manager and County Accountant and Tax Collector, relating to the collecting of taxes are hereby vested in and imposed upon the office of Treasurer-Tax Collector hereby created.

SEC. 4. Such Treasurer-Tax Collector shall be a citizen of, and resident in the County of Iredell, and shall be elected at a meeting of the Board of County Commissioners of Iredell County to be held on the first Monday in March, one thousand nine hundred and thirty-seven, and he shall hold said office until the first Monday in December, one thousand nine hundred and thirty-eight or until his successor is elected by the Board of County Commissioners for Iredell County; and the Board of County Commissioners of Iredell County, on the first Monday in December, one thousand nine hundred and thirty-eight and every two years thereafter shall elect a Treasurer-Tax Collector for Iredell County to serve for a period of two years or until his successor is appointed or elected by the Board of County Commissioners of Iredell County.

SEC. 5. That such Treasurer-Tax Collector shall furnish a good and sufficient bond in such amount as may be designated by the Board of County Commissioners of Iredell County, for the faithful and diligent performance of his duties, and for the true and proper accounting of all monies received by him by virtue of his office or coming into his hands in connection therewith, the premium of said bond to be paid from the general funds of Iredell County.

SEC. 6. The said Treasurer-Tax Collector shall collect all taxes, state and local, and all special assessments levied by the Board of County Commissioners for Iredell County, and in the collection thereof shall accept payments in monthly, quarterly, semi-annually or annual installments at the election of the taxpayer with interest at a rate of not exceeding eight per cent per annum for the first year after the due date therefrom and not exceeding six per cent per annum after such first year, and upon such collections shall render partial or full receipts consonant with such payments; *provided*, that license and franchise tax shall be paid in full before the issuance of such license and before the business licensed shall be carried on.

SEC. 7. That in the collection of such taxes and assessments such Treasurer-Tax Collector shall keep a true and accurate account thereof and shall allocate all monies received by him to the respective accounts designated in the levy of such taxes or assessments, and each day render a detailed statement of such accounts to the County Manager and County Accountant of Ire-

Location of office.

Powers and duties relating to collection of taxes vested in Treasurer-Tax Collector.

Residence and citizenship qualifications.

Election.

Term.

Election of successor.

Term.

Bond.

Condition.

Payment of premium.

Duty of collecting all taxes and assessments levied by County Commissioners.

Installment payments.

Interest on deferred payments.

Issuance of receipts.

Licenses issued only upon full payment.

Accounts.

Allocation of funds.

Daily statements of accounts rendered officials.

Duplicate bank deposit slips furnished officials.

Verification of correctness of statements and deposit slips.

County Manager and County Accountant granted access to all books, records, etc.

Discrepancies, misconduct of affairs, reported to County Commissioners.

Disbursement of funds.

Necessary clerical assistants, office equipment, supplies, etc. provided for.

Tax sales certificates, tax receipts, records, etc. delivered to Treasurer-Tax Collector.

Office of Treasurer abolished.

Partial invalidity provision.

Conflicting laws repealed.

Iredell County, accompanied by duplicate bank deposit slips showing the deposit of such funds in the depository or depositories designated by the Board of County Commissioners for the deposit of such funds. That the County Manager and County Accountant of Iredell County shall immediately, upon receipt of such detailed statement and duplicate bank deposit slips, by communication with such depositors and otherwise, verify the correctness of such matters and write such verification upon such detailed statements. And said County Manager and County Accountant shall at all times have free access to all books, records and documents for the purpose of continually and diligently informing themselves of the conduct of the affairs of said office; and the said County Manager and County Accountant, shall, immediately upon discovery of any discrepancy in or misconduct of the affairs of said office, report the same to the Chairman of the Board of County Commissioners of Iredell County.

SEC. 8. That all funds received by such Treasurer-Tax Collector shall be disbursed only upon written voucher signed by the Chairman of the Board of County Commissioners, the County Manager and County Accountant, and the Treasurer-Tax Collector in matters relating to Iredell County; and such disbursement shall not be approved as herein provided unless such disbursements are authorized by law.

SEC. 9. That the Board of County Commissioners of Iredell County are hereby authorized and empowered, to employ such aides, clerical help and assistants as are needed in the office of the Treasurer-Tax Collector. The Board of County Commissioners shall furnish such necessary office equipment, supplies, postage, etc. as it may deem necessary for the proper conduct and operation of said office.

SEC. 10. That all sale certificates and all uncollected personal property tax receipts and all records, tax books and all monies in connection therewith now held by the County Manager and County Accountant of Iredell County, shall be delivered to said Treasurer-Tax Collector to be held and collected by him as provided by law.

SEC. 11. That the office of Treasurer of Iredell County be and the same is hereby abolished.

SEC. 12. That if any part or section of this Act shall be declared unconstitutional or invalid by the Supreme Court of North Carolina that it shall in no way effect the remainder of said Act, and that the remainder shall remain in full force and effect.

SEC. 13. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 14. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

S. B. 316

CHAPTER 495

AN ACT TO PROHIBIT THE SALE OF WINE AND ALE BEVERAGES WITHIN ONE MILE OF WESTERN CAROLINA TEACHERS' COLLEGE AT CULLOWHEE, JACKSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person to sell wine, beer, ale, lager beer, or other fermented or brewed beverages, within one mile of Western Carolina Teachers' College at Cullowhee, Jackson County, prohibited.

SEC. 2. Any person violating the provisions of this Act shall be guilty of a misdemeanor and upon conviction shall be fined or imprisoned in the discretion of the court.

SEC. 3. All laws and parts of laws in conflict herewith are hereby repealed.

SEC. 4. This Act shall be in effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

Sale of wine, beer, etc. within mile of Western Carolina Teachers' College, Cullowhee, Jackson County, prohibited.

Violation made misdemeanor.

Conflicting laws repealed.

S. B. 338

CHAPTER 496

AN ACT TO AMEND CHAPTER ONE HUNDRED FIFTEEN OF PRIVATE LAWS OF ONE THOUSAND EIGHT HUNDRED NINETY-NINE AND ACTS AMENDATORY THERETO, RELATING TO CHARTER FOR TOWN OF GREENVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter one hundred fifteen of the Private Laws of the General Assembly of North Carolina, of the year one thousand eight hundred ninety-nine be amended by striking out all of said section two thereof, including the sub-section thereunder, and all amendments thereto, and inserting in lieu thereof the following:

SEC. 2. That the corporate limits of the said town shall be as follows:

"Beginning on the south bank of the Tar River at the northeast corner of the Munford property, thence in a southerly direction with the Munford line to the northern side of First Street; thence with the northern side of First Street easterly to the Johnston and Wilson line; thence southerly with the Johnston and Wilson line to the northern line of Third Street; thence with the northern line of Third Street easterly to the eastern line of Hill Top Crescent as shown on the subdivision of the James Brown land; thence with the curve of Hill Top Crescent, along the eastern line thereof, to the southern line of Sixth Street; thence with the southern line of Sixth Street westerly to the eastern line of East Carolina Teacher's College; thence with said college line southerly to the center of Greene

Ch. 115, Private Laws, 1899, amended.

Corporate limits of Town of Greenville redefined.

Boundaries described.

Mill Run; thence with the center of Greene Mill Run, up stream, to a pine a corner in the college line; thence again with the line of the college property to a point where same is intersected by the eastern line of Anderson Street produced; thence with the eastern line of Anderson Street produced and the eastern side of Anderson Street as plotted on the map of Greenville, Southerly to the run of Greene's Mill Run; thence with the run of Greene's Mill Run to the eastern side of the New Bern or Cox Mill paved highway, thence along the eastern side of said highway two hundred seventy-five feet to the southern side of Sixteenth Street produced; thence along the southern side of Sixteenth Street produced and with said street as it is now plotted, same being parallel to the Norfolk-Southern Railroad and four hundred fifty feet therefrom, westerly to the center line of the Atlantic Coast Line Railroad main tracks; thence a straight line to the southwest corner manufacturing plant of the Greenville Oil and Fertilizer Company; thence South 88-00 West two thousand eighty-five feet to a stake located three hundred thirty feet from Dickinson Avenue; thence South 65-00 West one thousand seventy feet; thence crossing the Ayden and Farmville highways North 38 West three hundred sixty-nine feet to an iron stake near a gum on the western side of the Farmville highway; thence North 24-30 West six hundred twenty-seven feet to the Fair Grounds fence; thence with the Fair Grounds line northeasterly and parallel with the Norfolk-Southern Railroad nine hundred twenty-one feet to Line Avenue; thence with the western side of Line Avenue to the northern side of Chestnut Street; thence with the northern side of Chestnut Street northeasterly to the western line of Washington Avenue; thence with the western line of Washington Avenue northerly to the northern line of Spruce Street; thence with the northern line of Spruce Street northeasterly to the western line of Paris Avenue; thence the western line of Paris Avenue as shown on the city map to Fifth Street, (the southern side); thence along the southern side of Fifth Street westerly to the ravine, the western corner of the colored school property; thence a northly direction with the western line of the colored school property to the northern line of Ward Street; thence with the northern line of Ward Street, easterly, to the western line of Stutz Street; thence with the western line of Stutz Street northerly to Colonial Avenue; thence again in the same direction with the western line of Stutz Street produced to the southern bank of the Tar River; thence down the various courses of Tar River to the beginning.

Conflicting laws
repealed.

SEC. 3. That all laws and clauses of laws heretofore passed, either chartering or amending the charter of the Town of Greenville inconsistent with this Act are hereby repealed.

SEC. 4. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

S. B. 341

CHAPTER 497

AN ACT TO AUTHORIZE THE TOWN OF SYLVA TO DONATE A PORTION OR ALL OF ITS WATERSHED TO THE UNITED STATES OF AMERICA FOR ADMINISTRATION BY THE FOREST SERVICE.

The General Assembly of North Carolina do enact:

SECTION 1. That the Town of Sylva, Jackson County, North Carolina, is hereby authorized and empowered to donate to the United States of America for the purposes of administration by the United States Forest Service under the provisions of the Weeks Forestry Law (36 Stat. 961) as amended, all or any part of the lands owned by said municipality as a watershed for furnishing water to said town and its inhabitants, reserving to said town and its inhabitants such rights to the use of the water from said lands and such rights-of-way over and across said lands and the use thereof as in the opinion of the Mayor and Town Commissioners or Aldermen of said town may be deemed essential and necessary and as may be agreed upon by and between the said town authorities and the representatives of the United States Forest Service.

Town of Sylva, Jackson County, authorized to donate certain land to United States.

Purposes.

Rights reserved.

SEC. 2. That the Mayor and Town Clerk of said municipality are hereby authorized and empowered to execute under the seal of said municipality the necessary deed or deeds to vest title in the United States of America to said lands, upon the approval of such donation by the Town Commissioners or Aldermen of said municipality by Resolution duly enacted by said body.

Mayor and Town Clerk authorized to execute deed, upon approval by Town Commissioners.

SEC. 3. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 4. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

S. B. 342

CHAPTER 498

AN ACT TO AMEND CHAPTER ONE HUNDRED AND FIFTY-FIVE, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE, EXTENDING THE TIME FOR BEGINNING ACTIONS AGAINST A. J. FAGG, FORMER CLERK OF SUPERIOR COURT OF STOKES COUNTY, AND HIS OFFICIAL BOND.

The General Assembly of North Carolina do enact:

SECTION 1. That section one, chapter one hundred and fifty-five, Public-Local Laws, one thousand nine hundred and thirty-five, be and the same is hereby amended by striking out the words "thirty-seven" in line five of said section and inserting in lieu thereof the words "thirty-nine."

Ch. 155, Public-Local Laws, 1935, amended.

Time extended for bringing actions on bond of A. J. Fagg, former C. S. C., Stokes County.

Conflicting laws repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

S. B. 350

CHAPTER 499

AN ACT AUTHORIZING THE TOWN OF MAXTON TO BUILD A MUNICIPAL BUILDING AND TO ISSUE BONDS FOR THE PAYMENT THEREOF.

The General Assembly of North Carolina do enact:

Town of Maxton, subject to referendum, authorized to purchase lot and construct building.

Use of building.

Authority to purchase new land or to build on land now owned.

Limit on expenditures.

Town authorized to lease said property as inducement to industry.

Issuance of bonds.

Maximum amount.

Time and place of payment.

Interest rate.

Interest coupons.

Short term notes authorized in lieu of bonds.

Use of proceeds.

SECTION 1. That the Town of Maxton upon the approval of the majority of the qualified voters in an election as hereinafter provided is authorized and empowered to expend a sum of not more than twelve thousand five hundred dollars (\$12,500.00) for the purpose of purchasing a lot and building thereon a building to be used by the said town as an inducement for a commercial or industrial business to come into the Town of Maxton and operate a going business and the said town is authorized and empowered to purchase land for such purpose and to build a building thereon or to build such building on lands already owned by the town, to furnish said building to the persons, firms, or corporations who will operate the proposed business for a period not to exceed five years free of rent and to do any and all acts proper or necessary in constructing or causing to be constructed such a building and inducing such a commercial or industrial business to come into the town, the amount to be expended for such purpose not to exceed twelve thousand five hundred dollars (\$12,500.00) and the said town is authorized to enter into any contract relative to the lease of such property which to the Mayor and Board of Commissioners of said town seems proper for the best interest of the town for the purpose of inducing industry and manufacturing into the town.

SEC. 2. That the said Town of Maxton is hereby authorized and empowered to issue bonds of the Town of Maxton to an amount not exceeding twelve thousand five hundred dollars (\$12,500.00) payable at such time and place as the Board of Commissioners may designate which bonds shall bear interest at a rate not exceeding six per cent (6%) per annum, the interest on said bonds to be evidenced by coupons attached to the said bonds or the said town may in lieu of issuing bonds issue short term notes, the money to be obtained from said bonds or from short term notes to be used for the purpose of purchasing land and building a building and doing the other acts incident thereto in inducing an industrial or commercial business

to start business in the Town of Maxton. Said bonds or notes shall be signed in the name of the Town of Maxton by the Mayor, and attested by the Clerk and Treasurer of the town and the corporate seal of the town affixed thereto. Said bonds or notes shall mature in not more than thirty years from the date of their issue and shall not be sold for less than their par value and the proceeds from the same shall not be used for any other than the purpose mentioned in this Act.

SEC. 3. That the said moneys shall not be expended for the purposes herein mentioned and the said bonds or notes shall not be issued and constitute a valid obligation of said Town of Maxton except upon the approval of a majority of the qualified voters in an election to be held as hereinafter directed but upon the approval of a majority of the voters in such election, such bonds or notes shall constitute a valid obligation of the said Town of Maxton.

SEC. 4. That for the purpose of submitting to the qualified voters the question of expending the moneys for the purposes herein named and of issuing bonds or notes as hereinbefore provided, the Board of Commissioners of the Town of Maxton shall at any time during the years one thousand nine hundred thirty-seven or one thousand nine hundred thirty-eight order an election to be held in said town and in such order appoint a time and place for the holding of the same as said board may designate, appointing a registrar and two judges of election and shall give thirty days notice in some newspaper published in Robeson County of the said election and shall order an entire new registration of the voters for said election.

SEC. 5. That at said election those voting for expending the money for the purposes herein mentioned and for issuing the bonds or notes as herein mentioned shall vote a written or printed ballot containing the words "For Industrial Development" and those voting against expending the money for said purposes and against issuing bonds or notes for said purposes shall vote a written or printed ballot containing the words "Against Industrial Development." That the qualification of voters, the holding and conduct of said election, canvass of returns and declaration of results and all other matters pertaining to said election shall be under the rules and regulations provided for the election of the Mayor and Board of Commissioners of the Town of Maxton.

SEC. 6. If at such election, a majority of those voting in said election shall cast their ballots in favor of expending the money and issuing bonds or notes as herein provided, then the Board of Commissioners of the Town of Maxton shall proceed to issue notes or bonds and to sell same in an amount not to exceed twelve thousand five hundred dollars (\$12,500.00) and may use the money received from said notes or bonds for the purposes as hereinbefore mentioned in the judgment and discretion of the said Board of Commissioners and said Board of Commissioners

Execution of
bonds or notes.

Maturity.

Minimum sale price.

Use of proceeds
limited.

Authority to make
expenditures and
issue bonds and
notes, subject to
approval of voters.

Commissioners,
Town of Maxton,
directed to order
election.

Time and place.

Appointment of
election officials.
Notice.

New registration.

Rules and regulations
governing election.

Upon approval by
voters, Commission-
ers directed to issue
bonds or notes, and
make expenditures.

Tax levy.

Sinking fund.

Upon failure of election to carry, authority granted null and void.

Conflicting laws repealed.

shall annually levy upon all of the taxable property in said town a tax sufficient to pay the interest on said bonds or notes and to provide a sinking fund for the payment of the principal thereof at maturity.

SEC. 7. That if in such an election a majority of those voting shall cast their ballots against the expenditure of moneys and the issuing of bonds or notes for the purposes as herein provided, then the authority to expend the money for said purposes and to issue bonds or notes for said purposes as herein provided shall be null and void.

SEC. 8. That all laws in conflict with this Act are hereby repealed insofar as they relate to the Town of Maxton.

SEC. 9. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

S. B. 360

CHAPTER 500

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF GASTON COUNTY TO ENTER INTO AGREEMENTS AND TO CREATE LIENS FOR UNPAID PORTION OF THE COSTS OF TERRACING FARM LANDS IN GASTON COUNTY.

The General Assembly of North Carolina do enact:

Commissioners, Gaston County, authorized to contract with farmers, etc. for terracing lands.

Installment payments.

Petition for terracing.

Contents.

Advance payment by petitioner.

Bond in lieu of such payment.

Application to County Commissioners.

Deferred payment plan set forth in petition.

SECTION 1. That the Board of Commissioners of Gaston County, North Carolina, is hereby authorized to enter into agreements with farmers and other land-owners in Gaston County for the terracing of lands and to accept payments therefor in installments as follows: one-fifth in cash and the balance in annual, equal installments over a period not exceeding four years.

SEC. 2. That in all cases where any portion of the costs of terracing farm lands is to be paid under the provisions of this Act, the farmer or other land-owner shall petition the Board of County Commissioners, or its duly authorized agent, requesting that said terracing be done, and in the petition the estimated number of acres shall be given, together with an estimate of the costs, and one-fifth of the estimated cost of said work shall be paid to the Treasurer of Gaston County in advance, or a satisfactory bond executed in favor of Gaston County to secure the payment of at least one-fifth of the total cost of said project.

SEC. 3. That all persons having any legal or equitable interest in the lands to be terraced under the provisions of this Act, shall sign the application to the Board of County Commissioners, or the agent of said board, and shall set forth in said petition the number of years, not exceeding four, that the deferred installments shall be payable.

SEC. 4. That any unpaid balance for terracing done under the provisions of this Act shall constitute a lien upon all the lands of the farmer or landowner in Gaston County and shall bear interest at the rate of six per cent (6%) from the date of the completion of the work, and shall be due and payable in accordance with the terms set forth in the application or agreement with Gaston County, and said installments shall fall due on the date on which taxes are due and payable; and if not paid when due, it shall be subject to the same penalties and interest as are now prescribed for unpaid taxes and collection shall be enforced in the same manner as now or hereafter provided for the collection of delinquent taxes. After default in the payment of any installment, the Board of Commissioners of Gaston County may, on the payment of all installments in arrears, together with interest due thereon, and on reimbursement of any expenses incurred in attempting to obtain payment, reinstate the remaining unpaid installment of such assessment, so that they shall become due in the same manner as they would have if there had been no default, and such extension may be granted at any time prior to the institution of an action to foreclose.

SEC. 5. The Commissioners of Gaston County shall not be permitted to enter into agreements to terrace farm lands belonging to farmers or landowners in Gaston County, if the petitioning farmer or landowner has not paid all taxes due Gaston County and the other political subdivisions therein, up to and including taxes due for the year one thousand nine hundred and thirty-five.

SEC. 6. That all laws or clauses of laws in conflict with this Act are hereby repealed.

SEC. 7. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

Unpaid balance made lien on all lands of owner.

Interest rate.

Payment according to contract.

Dates of installments.

Penalties and interest.

Manner of enforcing collection.

Reinstatements or extensions after default in installments.

Authority to make terracing contract conditional upon payment of certain taxes.

Conflicting laws repealed.

S. B. 366

CHAPTER 501

AN ACT TO AMEND THE CHARTER OF THE TOWN OF WADESBOROUGH AUTHORIZING SAID TOWN TO EXTEND, CONSTRUCT, MAINTAIN AND OPERATE ITS WATER, AND SEWERAGE LINES AND SYSTEMS FOR A DISTANCE NOT EXCEEDING THREE MILES IN ALL DIRECTIONS FROM THE CORPORATE LIMITS OF SAID TOWN.

Whereas, many citizens residing outside of and near the corporate limits of the Town of Wadesborough, but doing business in said town, have applied to said town for water and sewerage service, which the said town desires to supply; *Now, Therefore*, *The General Assembly of North Carolina do enact*:

Preamble: Application by residents near Town of Wadesborough for water and sewerage service.

Charter of Town of Wadesborough amended.

Town authorized to extend and operate its water and sewer lines beyond corporate limits.

Collection of reasonable charges.

Conflicting laws repealed.

SECTION 1. That the charter of the Town of Wadesborough be and the same is hereby amended by adding the following section thereto:

"That said Town of Wadesborough be and it is hereby authorized and empowered, in its discretion, to extend, construct, maintain and operate its water and sewerage lines and systems for a distance not exceeding three miles in all directions beyond the corporate limits of said city as the same now exist or may hereafter be established; and to make reasonable charges for the use of such utilities and collect the usual rates for the furnishing of said services."

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed to the extent of such conflict.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

S. B. 369

CHAPTER 502

AN ACT TO REPEAL CHAPTER FOUR HUNDRED AND NINETEEN OF THE PUBLIC-LOCAL LAWS, SESSION ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE, RELATING TO THE JURISDICTION OF THE COUNTY CRIMINAL COURT IN CABARRUS COUNTY, ETC.

The General Assembly of North Carolina do enact:

Ch. 419, Public-Local Laws, 1935, fixing jurisdiction of Cabarrus County Criminal Court, etc. repealed.

SECTION 1. That chapter four hundred and nineteen of the Public-Local Laws, session one thousand nine hundred and thirty-five, entitled "An Act to fix the jurisdiction of the County Criminal Court in Cabarrus County, and to more definitely define the procedure therein, and to regulate the costs, fees, etc." be, and the same is hereby repealed.

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

S. B. 372

CHAPTER 503

AN ACT AUTHORIZING THE BOARD OF COMMISSIONERS OF THE TOWN OF MOUNT PLEASANT TO USE THE FUNDS OF THE TOWN TO AID IN THE CONSTRUCTION OF A WATER AND SEWERAGE SYSTEM.

Preamble: Construction of water and sewerage system by Town of Mount Pleasant.

Whereas, the Town of Mount Pleasant is now in the process of constructing a water and sewerage system which is being financed by a Federal Emergency Administration of Public Works loan and grant; and

Whereas, it now appears that the cost of the project will exceed the amount of the loan and grant made by the Federal Emergency Administration of Public Works; and

Cost of project greater than amount of F. E. A. loan and grant.

Whereas, the Town of Mount Pleasant has on deposit funds sufficient to complete the said water and sewerage system which have been collected from street assessments and other sources; *Now, Therefore*,

Sufficient funds on hand to complete project.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of the Town of Mount Pleasant is hereby authorized and empowered to use any funds which it now has regardless of the purpose for which it was collected or the source from which it came for the purpose of paying the necessary expenses of the completion of its water and sewerage system.

Town of Mount Pleasant, authorized to use funds on hand for completion of water and sewerage system.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

S. B. 374

CHAPTER 504

AN ACT TO REQUIRE THE FILING OF A DUPLICATE COPY OF MAP OR PLAT OF SUBDIVISION, WITH THE REGISTER OF DEEDS FOR DURHAM COUNTY, FOR THE USE OF THE CITY OF DURHAM.

The General Assembly of North Carolina do enact:

SECTION 1. Any person, firm, or corporation filing or recording with the Register of Deeds of Durham County, North Carolina, any map or plat of a subdivision of land in the City of Durham, shall at the time of the filing or recording of same with the Register of Deeds of Durham County, furnish said Register of Deeds with a copy thereof for the use of the City of Durham, all such copies of maps or plats of such subdivisions which shall be filed with the Register of Deeds of Durham County shall be certified by said Register of Deeds, stating the time when recorded and the Plat Book and page number where same was recorded, and shall be delivered by the Register of Deeds to the City Manager of the City of Durham.

Duplicate plats of land subdivisions in City of Durham filed with County Register.

Use.

One copy certified to City Manager, for use of City of Durham.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after the first day of May, one thousand nine hundred and thirty-seven.

Effective date.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

S. B. 375

CHAPTER 505

AN ACT TO AMEND CHAPTER TWO HUNDRED AND SEVENTY-FOUR OF THE PRIVATE LAWS OF ONE THOUSAND EIGHT HUNDRED AND NINETY-THREE AND TO CLARIFY AND DEFINE THE CORPORATE LIMITS OF THE TOWN OF CATAWBA IN CATAWBA COUNTY.

The General Assembly of North Carolina do enact:

Ch. 274, Private
Laws, 1893,
amended.

Corporate limits of
Town of Catawba
defined.

SECTION 1. That section two of chapter two hundred and seventy-four, Private Laws of one thousand eight hundred and ninety-three be amended by adding to said section as follows:

“That the corporate limits of Catawba shall be more particularly defined as follows:

BEGINNING at a point on the J. F. Herman property, one-half mile due East from an iron stake located on the J. D. Little property on the North side of Main Street in the Town of Catawba, said Little property now being owned by T. E. Harwell and on which there is located a brick gasoline station, said iron stake being located about thirty (30) feet from the southeast corner of said brick service station, -and running due South from said beginning point one-half mile to an iron stake on Mrs. A. H. McNeil's lands, the southeast corner of the town limits; thence due West one mile to an iron stake on Gertrude Abernathy's lands near Number Ten Highway, the southwest corner of the town limits; thence due North one mile, crossing Lyles Creek, to an iron stake on the George Sigmon lands, the northwest corner of the town limits; thence due East one mile to an iron stake in the bottoms near Catawba River on the Oscar Sherrill lands, the northeast corner of the town limits; thence due South one-half mile to the beginning, being one square mile, as surveyed by G. S. Rowe, C. E., on September twenty-fifth, one thousand nine hundred and thirty-five.”

Conflicting laws
repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

S. B. 376

CHAPTER 506

AN ACT RELATING TO THE MUNICIPAL COUNTY COURT OF THE COUNTY OF LENOIR.

The General Assembly of North Carolina do enact:

Sec. 1, Ch. 372,
Public-Local Laws,
1935, amended.

SECTION 1. That chapter three hundred seventy-two of Public-Local Laws of one thousand nine hundred thirty-five, section one be amended as follows: by striking out the words and

figures in line three of said section, "twenty-four hundred (\$2400.00) dollars," and inserting in lieu thereof the words and figures, "three thousand (\$3,000.00) dollars," and by striking out the words and figures, "two hundred (\$200.00) dollars," in line four of said section and inserting in lieu thereof the words and figures, "two hundred and fifty (\$250.00) dollars."

Salary of Judge, Municipal County Court, Lenoir County increased.

SEC. 2. That chapter three hundred seventy-two of Public-Local Laws of one thousand nine hundred thirty-five, section two be amended as follows: by striking out the words and figures, "eighteen hundred (\$1800.00) dollars," in line three of said section and inserting in lieu thereof the words and figures, "twenty-two hundred and twenty (\$2220.00) dollars," and by striking out the words and figures, "one hundred and fifty (\$150.00) dollars," in line four of section two and inserting in lieu thereof the words and figures, "one hundred and eighty-five (\$185.00) dollars."

Sec. 2, same chapter, amended.

Salary of Solicitor increased.

SEC. 3. That the salaries herein provided for shall begin from and after the ratification of this Act.

Effective date.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

S. B. 377

CHAPTER 507

AN ACT FIXING THE SALARY OF THE REGISTER OF DEEDS OF ALAMANCE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the salary of the Register of Deeds for Alamance County, North Carolina, be, and the same is hereby fixed at three thousand (\$3,000.00) dollars per annum, payable in twelve monthly installments.

Salary of Register of Deeds, Alamance County.

SEC. 2. That all laws and clauses of laws relating to the salary of said Register of Deeds in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

S. B. 390

CHAPTER 508

AN ACT AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS FOR ONSLOW COUNTY TO FURNISH THE REGISTER OF DEEDS AND THE CLERK OF THE SUPERIOR COURT WITH CLERICAL ASSISTANTS.

The General Assembly of North Carolina do enact:

Clerical assistants
for Register of
Deeds, Onslow
County, provided
for.

SECTION 1. That the Board of County Commissioners for the County of Onslow are hereby authorized and empowered to pay to the Register of Deeds of said county the sum of three hundred and sixty (\$360.00) dollars per annum payable in monthly installments of thirty (\$30.00) dollars, for the purpose of hiring clerical assistants in said office.

Clerical assistants
for C. S. C., Onslow
County, provided for.

SEC. 2. That the Board of County Commissioners for the County of Onslow are hereby authorized and empowered to pay the Clerk of the Superior Court of said county the sum of three hundred and sixty (\$360.00) dollars per annum payable in monthly installments of thirty (\$30.00) dollars for the purpose of hiring clerical assistants for said office.

Effective date.

SEC. 3. That this Act shall be in full force and effect from and after July first, one thousand nine hundred and thirty-seven.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

S. B. 397

CHAPTER 509

AN ACT RATIFYING THE APPOINTMENT OF COMMISSIONERS OF IREDELL-ROWAN COUNTY DRAINAGE DISTRICT NUMBER ONE, RATIFYING ACTIONS OF SAID COMMISSIONERS.

Preamble: Commis-
sioners for Iredell-
Rowan County
Drainage District
No. 1, appointed.

Whereas, the Clerk of the Superior Court of Iredell County was authorized and empowered by section one of chapter four hundred and sixty-one, Public-Local Laws of one thousand nine hundred and thirty-five, to appoint Commissioners for the Iredell-Rowan County Drainage District number one, and acting under said authority appointed W. Scott Murdock, John F. Long and Sam Carsons as the three commissioners for said district in accordance with the provisions of said law; and,

Assessments levied
and other acts per-
formed by said
commissioners.

Whereas, acting under and by virtue of the authority of said appointment the said commissioners have proceeded in conformity with law to perform the duties of their said office and have made and levied assessments on the property in the district as authorized by law and done other acts and things under and by virtue of their said offices; *Now, Therefore*,

The General Assembly of North Carolina do enact:

SECTION 1. That the appointment of W. Scott Murdock, John F. Long and Sam Carsons as Commissioners for Iredell-Rowan County Drainage District number one, by the Clerk of the Superior Court of Iredell County, is hereby ratified and confirmed and all acts and things done by said commissioners, as commissioners for the said district, including the making of assessments against the land owners in said district and all other acts of said commissioners, are hereby ratified and confirmed and declared to be in all respects legal and binding to all intents and purposes.

Appointment of Commissioners for Iredell-Rowan County Drainage District No. 1, confirmed.

All acts done by said commissioners, including assessments, validated.

SEC. 2. That all laws and parts of laws in conflict herewith are hereby repealed.

Conflicting laws repealed.

SEC. 3. This Act shall be in effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

S. B. 399

CHAPTER 510

AN ACT TO REPEAL CHAPTER SEVEN HUNDRED AND TWENTY-SEVEN OF PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTEEN.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter seven hundred and twenty-seven of the Public-Local Laws of one thousand nine hundred and thirteen be and the same is hereby repealed.

Ch. 727, Public-Local Laws, 1913, prohibiting Sunday merchandise sales within certain locality, Vance County, repealed.

SEC. 2. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

S. B. 406

CHAPTER 511

AN ACT TO VALIDATE SHERIFF'S SALES OF LANDS FOR TAXES HELD IN STOKES COUNTY IN ONE THOUSAND NINE HUNDRED THIRTY-SIX ON DAYS OTHER THAN THOSE FIXED BY LAW.

The General Assembly of North Carolina do enact:

SECTION 1. That any and all tax sales of land held during the year one thousand nine hundred thirty-six by the Sheriff of Stokes County on any day other than the day fixed by law for such sales be and the same are hereby validated and confirmed in all respects.

Tax sales by Sheriff, Stokes County, during 1936, validated.

Conflicting laws
repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

S. B. 411

CHAPTER 512

AN ACT TO REPEAL CHAPTER FIFTY PUBLIC-LOCAL LAWS ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE RELATING TO RURAL POLICEMEN FOR CALDWELL COUNTY.

The General Assembly of North Carolina do enact:

Ch. 50, Public-Local Laws, 1935, authorizing appointment of rural policemen, Caldwell County, repealed.

Expiration of terms of persons appointed under said chapter.

Conflicting laws
repealed.

SECTION 1. That chapter fifty Public-Local Laws of one thousand nine hundred and thirty-five, which authorizes the Commissioners of Caldwell County to appoint one or more rural policemen, be and the same is hereby repealed.

SEC. 2. That the term of office of any person appointed by authority of said Act shall expire April thirty, one thousand nine hundred and thirty-seven, and the county will not be liable for any services rendered from and after said date.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

S. B. 426

CHAPTER 513

AN ACT TO PROVIDE FOR THE DISTRIBUTION OF PROFITS FROM THE OPERATION OF LIQUOR STORES IN IREDELL COUNTY.

The General Assembly of North Carolina do enact:

Division of profits from liquor stores operated within incorporated towns, Iredell County.

SECTION 1. From the profits of any liquor stores which are or may hereafter be operated in Iredell County the Treasurer of said County shall at the end of each quarterly period after an accounting has been received by him from the County Board of Alcoholic Control pay over to the treasurer of each incorporated city or town within the county fifty per cent of the net profits received by the county from the operation of a liquor store or stores within such incorporated city or town. *Provided*, this shall not effect any of the profits derived from

liquor stores operated within the County of Iredell outside the corporate limits of any incorporated city or town, such profits to be retained by the County of Iredell.

Entire profits from stores outside towns retained by county.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

S. B. 449

CHAPTER 514

AN ACT TO AMEND CHAPTER TWO HUNDRED AND TWENTY, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-NINE, RELATING TO THE PEACE OFFICERS' RELIEF FUND OF THE CITY AND COUNTY OF DURHAM.

The General Assembly of North Carolina do enact:

SECTION 1. That section four of chapter two hundred and twenty, Public-Local Laws of one thousand nine hundred and twenty-nine, be and the same is hereby amended by striking out in line nine of said section the words "five dollars (\$5.00)" and inserting in lieu thereof the words "twenty-five dollars (\$25.00)," and by striking out in line nine of said section the words "twelve dollars (\$12.00)" and inserting in lieu thereof the words "forty-eight dollars (\$48.00)."

Ch. 220, Public-Local Laws, 1929, amended.

Maximum initiation fee of Durham Peace Officers' Protective Association.

Maximum annual dues.

SEC. 2. That chapter two hundred and twenty, Public-Local Laws of one thousand nine hundred and twenty-nine, be further amended by striking out all of section five and inserting in lieu thereof the following: "Sec. 5. CREATION OF AN EXECUTIVE BOARD. That the Chairman of the Board of County Commissioners for Durham County, Chairman of the Public Safety Committee for the City of Durham, be and they are hereby made members ex-officio of this Executive Board, and the remainder of said board shall be the Sheriff of Durham County, the Chief of Police of the City of Durham, two members of the Durham Peace Officers' Protective Association who have had at least five years service on the police force of the City of Durham, and who shall be elected to the Executive Board by the membership of the Durham Peace Officers Protective Association. The said board shall elect a chairman at its first meeting in each year. A majority of the members of said Executive Board shall constitute a quorum for the transaction of business.

Chapter amended further.

Creation of Executive Board, Durham Peace Officers' Protective Association.

Election of Chairman.

Quorum.

"No compensation shall be paid to the members of the Executive Board for services rendered by reason of being a member of the Executive Board of the Durham Peace Officers' Protective Association."

No compensation.

Chapter amended
further.

Application of fund.

Pension of members
retired after maxi-
mum of 20 years
service.

Pension of members
having maximum of
25 years service and
having reached age
55.

Equality among
pensioners.

Determination of
amount.

Limitation of total
amount.

Pension for widows
and minor children
of members.

Duration.

Amount.

Payments for physical
disability of members
in service ten years.

Amount.

Payments conditional.

Limitation of total
amount.

SEC. 3. That chapter two hundred and twenty, Public-Local Laws of one thousand nine hundred and twenty-nine, be further amended by striking out all of section seven and inserting in lieu thereof the following: "Sec. 7. APPLICATION OF FUND. The money so paid into the hands of the Secretary and Treasurer, or now in the treasury of the Durham Peace Officers' Protective Association, shall be known as the Durham Peace Officers' Relief Fund, and shall be used as a pension fund for its members. That after an officer has served for a period of twenty years on the police force of the City of Durham, or in the sheriff's office of the County of Durham, he shall be entitled to the benefits of this Act and upon being retired by the city or county authorities, he shall draw a pension not to exceed one hundred and twenty-five dollars (\$125.00) per month. That after serving twenty-five years on the police force or on the sheriff's force and having reached the age of fifty-five years, a member shall be entitled to draw a pension not to exceed eighty dollars (\$80.00) per month from said fund. That all retired members entitled to draw from said pension fund shall receive a like and similar pension. The amount to be paid to said persons drawing from said pension fund shall be determined by the Executive Board and the total of said pensions paid during a year shall not exceed the total amount of revenue collected by the Secretary and Treasurer of said association from funds paid in by its members.

"If any member of the Durham Peace Officers' Protective Association shall die after he has been a member of said association for one year and whose widow or minor children do not receive compensation by or through the Workmen's Compensation Act of this state, said widow or minors shall be entitled to a pension in an amount not to exceed fifty-five dollars (\$55.00) per month, and shall receive said pension as long as the said officer's wife remains a widow, or as long as there are minor children. The amount to be paid shall be determined by the Executive Board of the said association, but in no case shall the amount to be paid to one family exceed the sum of fifty-five (\$55.00) dollars per month.

"After a member of the Durham Peace Officers' Protective Association shall have served ten years either upon the Durham City police force or in the office of the Sheriff of Durham County and it is proven to the satisfaction of the Executive Board of said association that he is physically unable to perform his duties as an officer, then the said Executive Board may pay said disabled officer a sum of money not to exceed fifty dollars (\$50.00) per month, provided he is not drawing any compensation by or through the Workmen's Compensation Act of this state.

"The total amount of pensions paid out of the funds of the Durham Peace Officers' Protective Association for the current year shall not exceed the previous year's income of the total

amount of revenue paid into the association by the members of the said association.

"All persons entitled to benefits under this section shall make application to the Executive Board, above provided for, and said Executive Board shall investigate each such application and shall determine what benefits shall be paid. The decision of the Executive Board shall be final and conclusive as to what persons are entitled to benefits and as to the amount of benefit to be paid, and said Executive Board shall have power to increase or decrease monthly benefits at any time, and no action at law or suit in equity shall be maintained against said association to enforce any claim or recover any benefit under this article or under the constitution or by-laws of said association; but if any officer or committee of said association omit or refuse to perform any duty imposed upon him or them, nothing herein contained shall be construed to prevent any proceedings against said officer or committee to compel him or them to perform such duty.

"Any member of said association who has paid his initiation fee and dues regularly for five years and who shall be discharged from the police department of the City of Durham or shall be discharged or not re-appointed or elected in the sheriff's office in the County of Durham, or if any member after having paid his dues regularly for five years and been a member of the Durham Peace Officers' Protective Association for a period of five years shall either resign from the police department of the City of Durham or from the sheriff's office of the County of Durham, upon demand by such member to the Executive Board, the Executive Board of said Durham Peace Officers' Protective Association shall order said member to be reimbursed the amount of dues he has paid in, less ten per cent of the amount and less the initiation fee."

SEC. 4. That said chapter be further amended by striking out all of section eight and inserting in lieu thereof the following: "Sec. 8. That the Executive Board shall appoint a Secretary and Treasurer of the Durham Peace Officers' Protective Association and said Executive Board shall designate a depository, either a bank or trust company organized and doing business in the State of North Carolina, and the said Secretary and Treasurer shall deposit all funds that come into his possession into the bank or trust company as designated, and such funds shall be deposited either upon a savings account or in a trust fund, according to direction of the said Executive Board, and if deposited as a trust fund under agreement with trust department in any bank, the said bank shall be named as agent of the said Secretary and Treasurer and shall sign the vouchers and checks of said association upon the written authorization of the Secretary and Treasurer of the said association. That the Secretary and Treasurer shall make only such authorizations as authorized to him by the Executive Board of the Durham

Application for benefits.

Determination of benefits paid.

Decision of Executive Board final.

Power to change benefits.

Legal actions for enforcing claims, prohibited.

Proceedings to compel performance of duty by officials.

Partial refund of dues to members with 5-years good-standing upon discharge, resignation, etc.

Chapter further amended.

Appointment of Secretary and Treasurer.

Designation of depository.

Deposit of funds.

Deposit under trust fund agreement.

Signing of vouchers.

Authorization.

Compensation of
trust company
handling funds.

Investment of funds.

All accretions added
to principal.

Bond of Secretary
and Treasurer.

Collection of dues,
etc.

Deposit of collec-
tions.

Management and in-
vestment of funds.

Audit of funds.

Said Chapter amended
further to provide
for "Secretary and
Treasurer" instead
of "Secretary."

Conflicting laws
repealed.

Peace Officers' Protective Association. That if said funds are deposited in a trust fund in any bank or depository, the said Executive Board may enter into an agreement to compensate said bank or trust company for the handling of said funds and may authorize said trust department to invest said funds in any United States Government Bonds or any North Carolina State Bonds or political subdivision thereof. That all interest and other income received from investments or deposits shall be added to the principal of said fund.

"The Secretary and Treasurer of said association shall give a security bond of one thousand dollars (\$1,000.00) for the faithful performance of his duties above enumerated, and the Executive Board shall pay said premium.

"The Secretary and Treasurer of said association shall collect all dues, assessments, and all court fees and pay the same immediately into the said bank or trust company as designated by the Executive Board.

"The Executive Board is hereby authorized to enter into any contract in reference to the management or investment of said funds, and shall at all times have the right to demand and obtain an audit of said funds."

SEC. 5. That said chapter shall be further amended by striking out the word "Secretary" wherever the same occurs and inserting in lieu thereof the words "Secretary and Treasurer."

SEC. 6. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 7. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

S. B. 453

CHAPTER 515

AN ACT TO PROVIDE FOR THE DISTRIBUTION OF PROFITS FROM THE OPERATION OF LIQUOR STORES IN CATAWBA COUNTY.

The General Assembly of North Carolina do enact:

Division of profits
from liquor stores
operated within in-
corporated towns in
Catawba County, be-
tween towns and
county.

Entire profits from
stores outside towns
retained by county.

SECTION 1. From the profits of any liquor stores which are or may hereafter be operated in Catawba County the Treasurer of said county shall at the end of each quarterly period after an accounting has been received by him from the County Board of Alcoholic Control pay over to the Treasurer of each incorporated city or town within the county fifty per cent of the net profits received by the county from the operation of a liquor store or stores within such incorporated city or town. *Provided*, this shall not effect any of the profits derived from liquor stores operated within the County of Catawba outside the corporate

limits of any incorporated city or town, such profits to be retained by the County of Catawba.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed. Conflicting laws repealed.

SEC. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

S. B. 473

CHAPTER 516**AN ACT TO FIX THE SALARY OF THE SHERIFF OF POLK COUNTY.**

The General Assembly of North Carolina do enact:

SECTION 1. That the Sheriff of Polk County shall have and receive for his salary the sum of twenty-four hundred (\$2,400.00) dollars per year, the same to be paid in equal monthly installments out of the general county fund of Polk County upon warrants or vouchers as now provided by law. Salary of Sheriff, Polk County.

SEC. 2. That in addition to the salary above described the Sheriff of Polk County shall have and receive the fees for said office as is now provided by law. Fees paid Sheriff in addition to salary.

SEC. 3. That the provisions of this Act shall be retroactive and shall be in full force from and after the first Monday in December, one thousand nine hundred and thirty-six. Retroactive effect of Act.

SEC. 4. That all laws and clauses of laws whether general, public or private in conflict with this Act are hereby repealed. Conflicting laws repealed.

SEC. 5. That the provisions of this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 472

CHAPTER 517**AN ACT TO AMEND THE CHARTER OF THE TOWN OF LUCAMA, IN WILSON COUNTY.**

The General Assembly of North Carolina do enact:

SECTION 1. The corporate limits of the Town of Lucama shall be enlarged by the addition of the following area: Beginning at a point on the present south boundary line of the Town of Lucama, said point being 354 feet easterly measured along said boundary line from the center of Davis Street, and runs thence South 6 degrees 30 minutes East 1031 feet, cornering and running thence in a line parallel with the center line of the Black Creek Road and 278 feet southerly therefrom North 39 Corporate limits of Town of Lucama enlarged.
Boundaries defined.

degrees forty minutes West 1300 feet to a point in line with the west boundary line of Goldsboro Street North 79 degrees 50 minutes West, runs thence at a slight angle North 88 degrees 20 minutes West 1335 feet to the southwest corner of the present boundary line of said Town, thence along the present boundary line of said town to the point of beginning.

SEC. 2. That this Act shall be in full force and effect from and after the date of its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 738

CHAPTER 518

AN ACT TO PROVIDE EMPLOYMENT THROUGH THE ASSISTANCE OF MANUFACTURING AND OTHER USEFUL ENTERPRISES IN THE TOWN OF WILSON; PROVIDING FOR THE ACQUISITION, PURCHASE, CONSTRUCTION, RECONSTRUCTION, IMPROVEMENT, BETTERMENT, EXTENSION AND MAINTENANCE OF REVENUE-PRODUCING UNDERTAKINGS BY SAID MUNICIPALITY; AUTHORIZING AND REGULATING THE ISSUANCE OF REVENUE BONDS FOR FINANCING SUCH UNDERTAKINGS; AND PROVIDING FOR THE PAYMENT OF SUCH BONDS AND THE RIGHTS OF HOLDERS THEREOF.

The General Assembly of North Carolina do enact:

Additional powers of Town of Wilson.

Construction, acquisition, etc. of property suitable for industrial enterprise.

Lease of undertaking for industrial purposes.

Issuance of bonds.

Collection of rents.

Pledge of revenues from undertaking to pay bonds.

Reasonable reserves.

SECTION 1. Additional Powers of Town of Wilson. In addition to the powers which it may now have, the Town of Wilson shall have the power under this Act: (a) To construct, acquire by gift or purchase, reconstruct, improve, better or extend any property suitable for use by manufacturing or any industrial enterprise, within the municipality, and to acquire by gift or purchase lands or rights in land in connection therewith, (b) to rent and lease for manufacturing or industrial purposes such undertaking to any person, firm or corporation, whose residence or place of business is located in said municipality, (c) to issue its bonds to finance in whole or in part the cost of the acquisition, purchase, construction, reconstruction, improvement, betterment or extension of any such undertaking, (d) to prescribe and collect rents for the use of such property, and (e) to pledge to the punctual payment of said bonds and interest thereon an amount of the revenues of such undertaking (including improvements, betterments, or extensions thereto thereafter constructed or acquired) or of any part of such undertaking, sufficient to pay said bonds and interest as the same shall become due and to create and maintain reasonable reserves therefor. Such amount may consist of all or any part or portion of such revenue, including direct revenue arising from

rents accruing upon said property and profits which may accrue through the use by tenants thereof of water, gas, electricity and other utilities which may be furnished by said municipality. The governing body of the municipality in determining such cost may include all costs and estimated costs of the issuance of said bonds, all engineering, inspection, fiscal and legal expenses, and interest which it is estimated will accrue during the construction period and for six months thereafter on money borrowed or which it is estimated will be borrowed pursuant to this Act.

Source of revenues.

Determination of costs of undertaking.

SEC. 2. Authorization of Project; Bond Provisions. The construction, reconstruction, improvement, betterment or extension of any undertaking may be authorized under this Act and bonds may be authorized to be issued under this Act to provide funds for such purpose or purposes by resolution or resolutions of the governing body which may be adopted at the same meeting at which they are introduced by a majority of all the members thereof then in office and shall take effect immediately upon adoption, notwithstanding any provisions to the contrary contained in the charter of said municipality, or in any other law, and such resolutions shall not be required to be published. Said bonds shall bear interest at such rate or rates not exceeding six per centum (6%) per annum, payable semi-annually, may be in one or more series, may bear such date or dates, may mature at such time or times not exceeding forty (40) years from their respective dates, may be payable in such medium of payment, at such place or places, may carry such registration privileges, may be subject to such terms of redemption, may be executed in such manner, may contain such terms, covenants and conditions, and may be in such form, either coupon or registered, as such resolution or subsequent resolutions may provide. Pending the preparation of the definitive bonds, interim receipts or certificates in such form and with such provisions as the governing body may determine may be issued to the purchaser or purchasers of bonds sold pursuant to this Act. Said bonds and interim receipts or certificates shall be fully negotiable within the meaning of and for all the purposes of the chapter of the Consolidated Statutes, entitled "Negotiable Instruments."

Authorization of undertaking.

Bond provisions.

Interim receipts or certificates authorized.

Negotiability of bonds and interim receipts.

SEC. 3. Covenants in Resolution Authorizing Issuance of Bonds. Any resolution or resolutions authorizing the issuance of bonds under this Act may contain covenants as to (a) the purpose or purposes to which the proceeds of sale of said bonds may be applied and the use and disposition thereof, (b) the use and disposition of the revenue of the undertaking for which said bonds are to be issued, including the creation and maintenance of reserves, (c) the issuance of other or additional bonds payable from the revenue of said undertaking, (d) the construction and maintenance of such undertaking, (e) the insurance to be carried thereon and the use and disposition of insurance

Covenants in resolution authorizing bond issue.

Use of bond proceeds.

Use of revenue from undertaking.

Issuance of additional bonds.
Construction, etc. of undertaking.
Insurance.

Inspection and audit of books.
Terms and conditions for appointment of receiver.

Act and resolutions a contract with bondholders.

Enforcement of duties of officials under Act and resolutions.

Bonds signed by town officials valid although signers not officers at time of delivery.

Validity not dependent on regularity of acquisition proceedings.

Recital in resolution for issuance of bonds under Act conclusive evidence of validity.

Lien of bonds on revenue of undertaking.

Priority of bonds of same issue over subsequent issues.

Equal security of bonds of same issue.

Subordinate lien on revenue, secondary to outstanding bonds for financing undertaking, under circumstances stated.

Bonds not general obligation of municipality.

moneys, (f) books of account and the inspection and audit thereof, and (g) the terms and conditions upon which the holders of said bonds or any proportion of them or any trustee therefor shall be entitled to the appointment of a temporary or permanent receiver by the Resident Judge of the Superior Court of the Judicial District in which the municipality is situated, or by a judge holding a regular or special term therein, which court shall have jurisdiction in such proceedings. The provisions of this Act and any such resolution or resolutions shall be a contract with the holder or holders of said bonds, and the duties of the municipality and of its governing body and officers under this Act and any such resolution or resolutions shall be enforceable by any bondholder, by mandamus or other appropriate suit, action or proceeding in any court of competent jurisdiction.

SEC. 4. Validity of Bonds. Said bonds bearing the signature of officers in office on the date of the signing thereof shall be valid and binding obligations, notwithstanding that before the delivery thereof and payment therefor any or all the persons whose signatures appear thereon shall have ceased to be officers of the municipality issuing the same. The validity of said bonds shall not be dependent on nor be affected by the validity or regularity of any proceedings relating to the acquisition, purchase, construction, reconstruction, improvement, betterment, or extension of the undertaking for which said bonds are issued. The resolution authorizing said bonds may provide that the bonds shall contain a recital that they are issued pursuant to the Act, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

SEC. 5. Lien of Bonds. All bonds of the same issue shall, subject to the prior and superior rights of outstanding bonds, claims or obligations, have a prior and paramount lien on the revenue of the undertaking, for which said bonds have been issued, over and ahead of all bonds of any issue payable from said revenue which may be subsequently issued and over and ahead of any claims or obligations of any nature against said revenue subsequently arising or subsequently incurred. All bonds of the same issue shall be equally and ratably secured without priority by reason of number, date of bonds, of sale, of execution or of delivery, by a lien on said revenue in accordance with the provisions of this Act and the resolution or resolutions authorizing said bonds. All bonds issued under this Act shall have a junior and subordinate lien on the revenue of the undertaking under and secondary to outstanding bonds issued to finance in whole or in part the acquisition, purchase, or construction of such undertaking, where any part of such revenues are by other laws required to be applied to the payment of the principal or interest of such outstanding bonds.

SEC. 6. Bonds Not a General Obligation of Municipality. No holder or holders of any bonds issued under this Act shall ever

have the right to compel any exercise of taxing power of the municipality to pay said bonds or the interest thereon. Each bond issued under this Act shall recite in substance that said bond, including interest thereon, is payable from the revenue pledged to the payment thereof, and that said bond does not constitute a debt of the municipality within the meaning of any statutory limitation.

Recital in bonds.

SEC. 7. Undertakings to be Self-Supporting. The governing body of said municipality when issuing bonds pursuant to this Act shall prescribe and collect reasonable rents for the use of such undertaking, so that such undertaking shall be and always remain self-supporting. The rents, plus profits to be derived from use of utilities, shall be such as will produce revenue at least sufficient (a) to pay when due all bonds and interest thereon, for the payment of which such revenue is or shall have been pledged, charged and otherwise encumbered, including reserves therefor, and (b) to provide for all expenses of maintenance of such undertaking, including reserves therefor.

Undertakings self-supporting.

Production of revenues for payment of bonds and interest.

Payment of maintenance expenses.

Use of revenue.

SEC. 8. Use of Revenue. Said municipality issuing bonds pursuant to this Act for the acquisition, purchase, construction, reconstruction, improvement, betterment or extension of any such undertaking shall have the right to appropriate, apply or expend the revenue of such undertaking for the following purposes: (a) to pay when due all bonds and interest thereon, for the payment of which such revenue is or shall have been pledged, charged or otherwise encumbered, including reserves therefor, (b) to provide for all expenses of maintenance of such undertaking, including reserves therefor, (c) to pay and discharge notes, bonds or other obligations and interest thereon, not issued under this Act for the payment of which the revenue of such undertaking is or shall have been pledged, charged or encumbered, (d) to pay and discharge notes, bonds or other obligations and interest thereon, which do not constitute a lien, charge or encumbrance on the revenue of such undertaking, which shall have been issued for the purpose of financing the acquisition, purchase, construction, reconstruction, improvement, betterment or extension of such undertaking, and (e) to provide a reserve for the betterments to such undertaking. Unless and until adequate provision has been made for the foregoing purposes, said municipality shall not have the right to transfer the revenue of such undertaking to its general funds.

Payment of bonds and interest.

Maintenance expenses of undertaking.

Payment of notes, etc., not issued under Act where revenue pledged.

Payment of notes, etc. not secured by revenue of undertaking.

Reserve for betterments.

Transfer of revenue to general funds of municipality.

SEC. 9. Consent of State Agencies: and Application of the Local Government Act. It shall not be necessary for said municipality proceeding under this Act to obtain any certificate of convenience or necessity, franchise, license, permit, or other authorization from any bureau, board, commission or other like instrumentality of the state except the approval of the Local Government Commission as required by the Local Government Act as amended, which Act as amended shall apply to all bonds issued hereunder, in order to acquire, construct, purchase,

Consent of State agencies, except Local Government Commission, unnecessary.

Application of Local Government Act.

reconstruct, improve, better, extend, maintain and operate an undertaking.

Construction of Act. SEC. 10. Construction of Act. The powers conferred by this Act shall be in addition and supplemental to the powers conferred by any other general, special or local law. The undertaking may be acquired, purchased, constructed, reconstructed, improved, bettered, and extended, and bonds may be issued under this Act for said purposes, notwithstanding that any general, special or local law may provide for the acquisition, purchase, reconstruction, improvement, betterment, and extension of a like undertaking, or the issuance of bonds for like purposes, and without regard to the requirements, restrictions, limitations, or other provisions contained in any other general, special or local law, including, but not limited to, any requirement for the approval by the voters of said municipality. In so far as the provisions of this Act are inconsistent with the provisions of any other general, special or local law, the provisions of this Act shall be controlling.

Conflicting laws repealed.

Partial invalidity provision.

SEC. 11. Separability of Provisions. If any provision of this Act, or the application of such provision to any person, body, or circumstance shall be held invalid, the remainder of this Act, or the application of such provision to persons, bodies, or circumstances other than those as to which it shall have been held invalid, shall not be affected thereby.

Duration of power to issue bonds.

Limitation of amount of bonds outstanding.

SEC. 12. Termination of Power to Issue Bonds. The power and authority conferred by this Act shall continue until expressly revoked by act of the Legislature of North Carolina, but the amount of principal bonds which may be issued and outstanding at any particular time shall not exceed the sum of two hundred thousand dollars (\$200,000.00).

Effective date.

SEC. 13. Time of Taking Effect. This Act shall be in effect from and after its ratification.

Approval of bonds by Local Government Commission.

SEC. 14. No bonds shall be issued under this Act except with the express approval of the Local Government Commission.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 934

CHAPTER 519

AN ACT TO AMEND CHAPTER FIVE HUNDRED FIFTY, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED TWENTY-THREE, RELATING TO THE RECORDER'S COURT OF MOUNT AIRY TOWNSHIP, SURRY COUNTY.

The General Assembly of North Carolina do enact:

Ch. 550, Public-Local Laws, 1923, amended.

SECTION 1. That section two of chapter five hundred fifty of the Public-Local Laws of one thousand nine hundred twenty-three, be, and the same is hereby amended by striking out all of said section two and inserting in lieu thereof the following:

“Sec. 2. That in all civil actions and proceedings issuing from said court, summons shall be made returnable thirty days from the date of the service of said summons; that complaints in all civil actions shall be filed on or before the date of the issuing of the summons and that the defendant shall be allowed thirty days after service of the summons in which to answer or demur to the complaint: *Provided*, the judge of said court may, for good cause shown, extend the time for filing of complaints, answers or other pleadings; that in all other matters of procedure the same shall conform as near as may be to the rules prescribed for proceedings in the Superior Courts of this state.”

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

Return of summons in actions in Recorder's Court of Mt. Airy Township, Surry County.

Filing of complaints.

Answer or demurrer.

Extension of time for filing pleadings.

Other matters of procedure.

Conflicting laws repealed.

H. B. 970

CHAPTER 520

AN ACT TO REPEAL CHAPTER ONE HUNDRED FIFTY-THREE OF THE PUBLIC LAWS OF ONE THOUSAND NINE HUNDRED NINE, AND ALL ACTS AMENDATORY THEREOF, RELATING TO THE APPOINTMENT, DUTIES, OATH, TERM OF OFFICE, AND COMPENSATION OF THE OFFICIAL COURT REPORTER FOR FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred fifty-three of the Public Laws of one thousand nine hundred nine, and all Acts amendatory thereof, creating the office of and relating to the appointment, duties, oath, term of office, and compensation of the Official Court Reporter for Forsyth County, be and the same are hereby repealed.

SEC. 2. The Board of County Commissioners of Forsyth County are hereby authorized and empowered to appoint a qualified shorthand reporter for the courts of Forsyth County, to be known as the Official Court Reporter for Forsyth County, and to appoint a qualified shorthand reporter for the courts of said county, to be known as the Assistant Court Reporter for Forsyth County. The said Official Court Reporter for Forsyth County and the said Assistant Court Reporter for Forsyth County shall be appointed by the Board of County Commissioners of Forsyth County upon the recommendation of a committee of five members of the Bar, practicing in the courts of said county, which committee shall be appointed by the Presi-

Ch. 153, Public Laws, 1909, relating to Official Court Reporter for Forsyth County, repealed.

Appointment of Official Court Reporter for Forsyth County.

Appointment of Assistant Court Reporter.

Appointments upon recommendation by Forsyth Bar Association Committee.

Investigation of qualifications of applicants.	dent of the Forsyth County Bar Association, and the recommendation of said committee shall be based upon an investigation by said committee of the ability, experience and qualifications of applicants for said office.
Term of Official Reporter.	SEC. 3. The Official Court Reporter for Forsyth County shall be appointed and hold office for a term of two years, unless removed by the Board of County Commissioners in their discretion
Duties.	and shall attend all regular and special terms of the Superior Court for Forsyth County, except as hereinafter provided where there is a conflict of terms of said court, and shall make a stenographic report of the proceedings of said court, under the direction of the judge presiding in said court. The Official Court
Salary.	Reporter shall receive a salary to be fixed by the Board of County Commissioners and paid by the County of Forsyth from the general fund of said county, and shall be provided an office
Office.	in the county courthouse for his use and occupancy, and shall be furnished all necessary supplies and equipment by the Board of County Commissioners, which shall be paid for by Forsyth County from the general fund of said county.
Necessary supplies and equipment.	SEC. 4. Before entering upon the duties of their offices, the Official Court Reporter and the Assistant Court Reporter shall take and subscribe an oath to correctly and honestly discharge the duties thereof, as prescribed by the presiding judge, said oaths to be recorded by the Clerk of the Superior Court of Forsyth County in the record of oaths.
Oath prescribed for Official and Assistant Reporters.	SEC. 5. In the event of the death, resignation or removal by the Board of County Commissioners of the Official Court Reporter, the Board of County Commissioners shall appoint his successor as herein provided for the appointment of the Official Court Reporter, and the reporter so appointed shall hold said office during the unexpired term of his predecessor.
Appointment of successors.	SEC. 6. In the event of the absence of the Official Court Reporter by reason of illness, incapacity or other cause at any term of court which the said Official Court Reporter is required to attend and report in the discharge of his duties, the Assistant Court Reporter herein provided for shall attend and report the proceedings of such terms of court, and shall receive compensation therefor as hereinafter provided for in this Act. Whenever neither the Official Court Reporter nor the Assistant Court Reporter is available to report the proceedings of any session of any of the courts of Forsyth County, the Board of County Commissioners shall appoint a qualified reporter to report such sessions of the courts, and such reporter shall be compensated by the Board of County Commissioners from the general fund of Forsyth County upon the per diem or weekly basis upon which the Assistant Court Reporter is compensated.
Duties of Assistant Court Reporter.	SEC. 7. The Assistant Court Reporter for Forsyth County shall be appointed and hold office for a term of two years, unless removed by the Board of County Commissioners in their discretion, and shall attend all terms of the Forsyth County
Compensation.	
Appointment of special reporter when Official and Assistant Reporters not available.	
Compensation.	
Term of Assistant Reporter.	
Duties.	

Court, all special terms of the Superior Court for Forsyth County when such terms conflict with regular terms of said court, and all other regular or special terms of said court, when the Official Court Reporter is absent by reason of illness, incapacity or other cause, and shall make a stenographic report of the proceedings of said courts, under the direction of the judge presiding in said courts. The compensation of the Assistant Court Reporter shall be fixed by the Board of County Commissioners upon a per diem or weekly basis for the terms of court which said Assistant Reporter is required to attend and report.

Compensation.

SEC. 8. The Official Court Reporter or the Assistant Court Reporter, as the case may be, shall, upon request, furnish a typewritten transcript of the notes of any trial or hearing reported by said reporter, or so much thereof as may be designated by the party making the request, and the party making the request shall pay to the reporter therefor an amount equal to thirty cents per page for so much of the record as may be desired: *Provided*, that before said notes shall be transcribed, the reporter may require the party making the request to deposit with the Clerk of the Superior Court a sum estimated by the reporter to be equal to thirty cents per page for so much of the record as may be desired. If the deposit thus made shall exceed thirty cents per page, the excess shall be returned to the person making the deposit; but if the deposit shall equal less than thirty cents per page, then the person making the request shall make an additional deposit to equal thirty cents per page.

Typewritten transcripts furnished by Reporter.

Cost per page.

Advance deposit of estimated cost.

Return of excess over actual cost.

Additional deposit when necessary to cover additional cost.

SEC. 9. After any person shall have requested the reporter to furnish the typewritten transcript of notes of any trial or hearing reported by said reporter, or any part thereof, and the person requesting such transcript shall have made the deposit which may be required by the reporter under the provisions of section thirteen of this Act, the reporter shall, upon request made prior to or at the time of transcribing such notes, furnish to any person or persons a copy or copies of said transcript, and the party making such request shall pay to the reporter therefor an amount equal to ten cents per page for each copy: *Provided*, that before any copy or copies of the typewritten transcript shall be prepared, the reporter may require the person making the request to deposit with the Clerk of the Superior Court a sum estimated by the reporter to be equal to ten cents per page for each copy. If the deposit thus made shall exceed ten cents per page for each copy, the excess shall be returned to the person making the deposit; but if the deposit shall equal less than ten cents per page for each copy, then the person making the request shall make an additional deposit to equal ten cents per page for each copy.

Extra copies of transcript furnished at cheaper cost.

Cost per page.

Deposit of estimated cost.

Return of excess over actual cost.

Extra deposit to cover extra cost.

SEC. 10. Upon delivery by the reporter of the typewritten transcript, and copy or copies thereof, if any were requested, to the person or persons requesting same or to the Clerk of the

Payment of Reporter from deposit, upon delivery of transcript.

Fees for transcripts retained by Reporter as additional compensation.

Preservation of original shorthand notes of cases and hearings.

Certified typewritten transcript, prima facie evidence of testimony at former trial.

Usual identification unnecessary.

Duty of reporting hearings before Clerks of Courts when necessary.

Hearings taken by Assistant when Official Reporter otherwise engaged.

Compensation.

Advance notice to Assistant.

Reporting of hearings before referees, etc.

Other competent reporter designated when Official or Assistant Reporters not available.

Transcripts furnished.

Superior Court, the said clerk shall release and pay over to said reporter any deposit or deposits which may have been required therefor under the provisions of sections thirteen and fourteen of this Act. All fees for transcripts and copies thereof shall be received and retained by the reporter preparing such transcripts and copies thereof as his personal property, and shall be in addition to any compensation paid to said reporter by the County of Forsyth for attendance upon and reporting the proceedings in any court or in any hearing before the clerk, whether said reporter be on a salary or a fee basis.

SEC. 11. The reporter who shall report any case or hearing shall be charged with the duty of filing in a safe place and preserving the books containing the original shorthand notes of any such case or hearing.

SEC. 12. Whenever it shall become necessary in any court to prove the testimony of any witness or witnesses at the trial of any former case or at any former trial of the same case in Forsyth County, or at any former hearing before the Clerk of the Superior Court of said county, the typewritten transcript of such testimony, or copy thereof, when certified over the signature of the Official Court Reporter or Assistant Court Reporter as the case may be, shall be prima facie evidence of such testimony, and the identification required for the introduction in evidence of paper-writings shall not be necessary.

SEC. 13. It shall be the duty of the Official Court Reporter to attend and report, without additional compensation, all hearings in actions or special proceedings before the Clerk of the Superior Court or before the Clerk of the Forsyth County Court, at the request of any party to such actions or proceedings and when it is necessary and proper for oral evidence to be given in such actions or proceedings and necessary and proper for such evidence to be preserved. If the Official Court Reporter is engaged in his other duties, then the Assistant Court Reporter shall take such hearings and shall be paid therefor on a per diem basis by the County Commissioners out of the general fund of Forsyth County, and said Assistant Court Reporter shall be given sufficient notice of the time of such hearings to arrange to attend the same. Hearings before referees or commissioners may be taken by either the Official Court Reporter or by the Assistant Court Reporter, whichever the referee or commissioner may designate, and payment for reporting such hearings shall be made by the parties to the litigation on a per diem basis as the referee or commissioner may prescribe. If neither the Official Court Reporter nor the Assistant Court Reporter is available for taking such hearings, the referee or commissioner may designate any other competent reporter who shall be paid on the same basis. If a typewritten transcript, or copies thereof, of the proceedings reported as herein authorized is requested by any party to such actions or proceedings, such reporter shall

furnish same in accordance with the provisions of sections eight, nine and ten of this Act.

SEC. 14. That this Act shall apply to Forsyth County only.

Applies to Forsyth County only.

SEC. 15. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 16. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1004

CHAPTER 521

AN ACT TO CREATE THE OFFICE OF JAILER FOR PITT COUNTY AND TO RELIEVE THE SHERIFF OF PITT COUNTY FROM ALL DUTIES WITH RESPECT TO THE CUSTODY OF THE JAIL AND PRISONERS WHILE IN JAIL AND TO INCREASE THE SALARY OF THE TWO DEPUTY SHERIFFS IN PITT COUNTY AND TO PROVIDE AN ALLOWANCE TO THE SHERIFF OF PITT COUNTY FOR TRAVELING EXPENSES.

Whereas, it is necessary and expedient to create the office of jailer for Pitt County, in order that the common jail of Pitt County, and the housing, care, and custody of the prisoners therein may be more economically and effectively handled, managed, and controlled, *Now, Therefore*,

Preamble: Creation of office of jailer, Pitt County, necessary.

The General Assembly of North Carolina do enact:

SECTION 1. That there is hereby created for Pitt County the office of jailer whose duties shall be to have the care and custody of the common jail in Pitt County and shall have the full custody, care, management and control of all prisoners while in said jail; and all powers, duties and authority now conferred upon the sheriff of Pitt County by law with respect to the custody of the jail in Pitt County, and in respect to the prisoners while in jail are hereby conferred upon the jailer of said county, and that the sheriff of Pitt County be and he is hereby, from and after the appointment of the jailer of Pitt County as is herein-after provided for, relieved from the custody of the Pitt County jail, and is relieved from the care and custody of the prisoners while in said jail.

Office of jailer created.

Duties and powers of jailer.

Sheriff relieved of custody of jail and prisoners.

SEC. 2. That the Board of Commissioners be and they are hereby authorized in their discretion to increase the salary of the two deputy sheriffs of Pitt County in an additional amount not to exceed a total salary of two hundred dollars (\$200.00) per month for each deputy sheriff, and no more.

Increase of salaries of deputy sheriffs authorized.

SEC. 3. That an allowance of fifty dollars (\$50.00) per month be and the same is hereby allowed to the sheriff of Pitt County for traveling expenses in addition to the salary now paid, which said allowance shall be in lieu of all traveling allowance for transporting prisoners within Pitt County.

Traveling expense allowance for sheriff.

Appointment and
discharge of jailer.

Bond.

Rules and regulations
for keeping of jail
and prisoners.

Sheriff granted access
to jail and prisoners.

Sheriff authorized to
grant admission to
jail.

Segregation of
prisoners.

Constitutional rights
of sheriff not
abridged.¹

Conflicting laws
repealed.

SEC. 4. The Board of Commissioners of Pitt County is hereby given full authority to appoint and discharge said jailer, and the said jailer, before taking over the duties of said office shall be required to give a good and justified bond, satisfactory to said commissioners in such sum as they, the said commissioners may determine for the proper performance of all duties of the office of jailer, and to indemnify the County of Pitt against loss or damage by reason of the failure or breach of duty on the part of said jailer.

SEC. 5. That the Board of Commissioners of Pitt County is hereby fully authorized and fully vested with authority to make such rules and regulations from time to time as said board may deem necessary to be observed by said jailer and such rules and regulations are hereby declared to be binding on said jailer for the proper keeping of said jail and prisoners therein.

SEC. 6. That the sheriff shall at all times have full access to the jail and its prisoners.

SEC. 7. That the sheriff shall have full authority to grant admission to the jail when and as in his official capacity he sees the need therefor.

SEC. 8. That said jailer shall segregate prisoners according to the direction of the sheriff.

SEC. 9. That nothing in this Act shall be construed as a curtailment, abridgment, or limitation on any constitutional right granted to sheriffs by the Constitution of North Carolina.

SEC. 10. That all laws and clauses of laws in conflict with this Act in so far as they may effect Pitt County be and the same are hereby repealed.

SEC. 11. That this Act shall be in full force and effect from and after the date of its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1014

CHAPTER 522

AN ACT TO AUTHORIZE THE ISSUANCE OF SCHOOL BUILDING BONDS IN BEHALF OF SOUTHERN PINES SCHOOL DISTRICT IN MOORE COUNTY AND THE LEVY OF TAXES WITHIN SUCH DISTRICT FOR THE PAYMENT OF THE PRINCIPAL AND INTEREST OF SUCH BONDS.

The General Assembly of North Carolina do enact:

Special election for
Southern Pines School
District, Moore
County, upon ques-
tion of bond issue
and tax levy,
authorized.

SECTION 1. Upon the receipt of a petition signed by not less than ten per cent (10%) of the qualified voters of Southern Pines School District in Moore County, which said school district is hereby continued as a city administrative unit under the school laws of the state, the Board of County Commissioners of

Moore County shall order a special election to be held in said Southern Pines School District in Moore County for the purpose of voting upon the question of issuing and selling bonds of said school district and levying a sufficient tax upon all taxable property situate in said school district for the payment thereof, in an amount not exceeding the principal sum of forty-five thousand dollars (\$45,000.00), for the purpose of acquiring, erecting, enlarging, altering, repairing and equipping school buildings in said school district and purchasing sites in such school district or unit or for any one or more of said purposes. In said election so called by said Board of Commissioners of Moore County, the Board of County Commissioners of Moore County shall designate the polling place or places in said school district for said election, appoint the registrars and judges and canvass and judicially determine the results of the election upon the filing with it of the election returns by the officers holding the election and shall record such determination on their records, which shall be conclusive of all the facts therein found and determined. The notice of the election shall be given by publication at least three times in some newspaper published or circulated in said County of Moore or said school district. The notice shall state the date of the election, the place or places at which the election will be held, the maximum amount of bonds to be issued, the purpose or purposes for which the bonds are to be issued, and the fact that a sufficient tax will be levied on all taxable property within the district or unit for the payment of the principal and interest of the bonds. The first publication of notice shall be at least thirty days before the election. A new registration of the qualified voters of such school district or unit shall be ordered and notice of such due registration shall be deemed to be sufficiently given by publication once in some newspaper published or circulated in such school district or unit at least thirty days before the close of the registration books. This notice of registration may be considered one of the three notices required of the election. Such published notice of registration shall state the days on which the books will be open for registration of the voters and the place or places at which they will be open on Saturdays. The books of such new registration shall close on the second Saturday before the election. The Saturday before the election shall be challenge day and except as otherwise provided in this Act, such election shall be held in accordance with the laws governing general elections. The form of the question, as stated on the ballot or ballots, shall be in substantially the words: "For the issuance of \$..... school bonds and the levying of a sufficient tax for the payment thereof" and "Against the issuance of \$..... school bonds and the levying of the sufficient tax for the payment thereof." Such affirmative and negative form may be printed upon separate ballots, or both thereof may be printed on one ballot, containing squares opposite the affirmative and negative forms, in

Amount and purpose of bond issue.

Calling election.

Designation of voting places.
Appointment of election officials.
Determination of results.

Recordation.

Notice of election.

Contents.

New registration.

Notice published.

Contents.

Closing of new registration books.

Challenge day.

Manner of holding election.

Form of question on ballots.

Affirmative and negative form on same or separate ballot.

Contents of petition for election.	one of which squares the voter may make a cross (X) mark. The petition hereinbefore referred to shall state the principal amount of the bonds to be authorized and issued under the provisions of this Act, and the principal amount of bonds to be issued and sold as set forth in the petition shall be set forth in the orders and notices hereinbefore mentioned and provided for.
Counting of votes.	SEC. 2. At the close of the polls, the election officers shall
Returns.	count the votes and make returns thereof to the Board of County Commissioners, which board shall, as soon as practicable after the election, judicially pass upon the returns and judicially
Declaration of results.	determine and declare the results of such election, which determination shall be spread upon the minutes of said board.
Duplicate returns.	The returns shall be made in duplicate, one copy of which shall be delivered to the Board of County Commissioners as aforesaid and the other filed with the Clerk of the Superior Court of the county in which the school district or unit is situated. The election officers shall incorporate in the returns not only the number of votes cast for and against the bonds, but also the number of voters registered and qualified to vote at the election, and the Board of County Commissioners shall include in their canvass not only the number of votes cast for and against the bonds, but also the number of voters registered and qualified
Information shown on returns.	to vote at the election. The Board of County Commissioners shall prepare a statement showing the number of votes cast for and against the bonds, and the number of voters registered and qualified to vote at the election, and declaring the result of the election, which statement shall be signed by the chairman of the board and attested by the clerk, who shall record it in the minutes of the board and file the original in his office and publish it once in a newspaper published or circulating in such district or unit.
Data included in canvass.	
Preparation of statement declaring results of election.	SEC. 3. No right of action or defense founded upon the invalidity of such election or the invalidity of any proceedings or steps taken in the creation of such district or such unit shall be asserted, nor shall the validity of such election or the validity of the creation of such district or such unit, or the right or duty to levy a sufficient tax for the payment of the principal and interest of such bonds, be open to question in any court upon any ground whatever, except in an action or proceeding commenced within thirty days after the publication of such statement of results as provided in the preceding section.
Statement recorded and published.	SEC. 4. If a majority of the qualified voters of such district or such unit shall vote in favor of the issuance of such bonds and the levy of such tax, then the Board of County Commissioners may provide by resolution, which resolution may be finally passed at the same meeting at which it is introduced, for the issuance of such bonds, which bonds shall be issued in the name of the county, but they shall be made payable exclusively out of taxes to be levied in such district or such unit, except the Board of County Commissioners may pay from county
Limitation of time for contesting validity of election or proceedings.	
Issuance of bonds authorized, in event election carries.	
Payment of bonds.	

funds any part of the principal and interest of said bonds. They shall be issued in such form and denominations, and with such provisions as to the time, place and medium of payment of principal and interest as the said Board of County Commissioners may determine, subject to the limitations and restrictions of this Act. They may be issued as one issue, or divided into two or more separate issues, and in either case may be issued at one time or in blocks from time to time. The bonds shall be serial bonds and each issue thereof shall so mature that the aggregate principal amount of the issue shall be payable in annual installments or series, beginning not more than three years after the date of the bonds of such issue, and ending not more than thirty years after such date. No such installment shall be more than two and one-half times as great in amount as the smallest prior installment of the same bond issue. The bonds shall bear interest at a rate not exceeding six per cent per annum, payable semi-annually, and may have interest coupons attached, and may be made registerable as to principal or as to both principal and interest, under such terms and conditions as may be prescribed by said board. They shall be signed by the Chairman of the Board of County Commissioners, and the seal of the county shall be affixed to or impressed upon each bond and attested by the Register of Deeds of the county or by the clerk of said board; and the interest coupons shall bear the printed, lithographed or facsimile signature of such chairman. The delivery of bonds, signed as aforesaid by officers in office at the time of such signing, shall be valid, notwithstanding any changes in office occurring after such signing.

SEC. 5. The Board of County Commissioners is hereby authorized and directed to levy annually a special tax, ad valorem, on all taxable property in the said school district in which the election was held, sufficient to pay the principal and interest of the bonds as such principal and interest become due. Such special tax shall be in addition to all other taxes authorized to be levied in such district or in such unit. The taxes provided for in this section shall be collected by the county officer collecting other taxes and be applied solely to the payment of principal and interest of such bonds.

SEC. 6. The powers conferred by this Act shall be regarded as supplemental and in addition to powers conferred by other laws and shall not supplant or repeal any existing powers for the issuance of bonds, or any provisions of law for the payment of bonds issued under such powers, or for the custody of monies provided for such payment.

SEC. 7. This Act shall constitute full authority for the things herein authorized and no proceedings, publications, notices, consents or approvals shall be required for the doing of the things herein authorized, except such as are herein prescribed and required, and except that the provisions of the Local Government Act then in force as to the approval of the issuance of bonds

Form, denominations, provisions of bonds.

Manner of issue.

Serial bonds required.

Maturity.

Limitation on amount of installment.

Interest.

Registration.

Manner of execution.

Delivery of bonds valid notwithstanding changes in office after signing.

Special tax levy.

Collection of taxes.

Application of proceeds.

Powers granted in addition to existing powers.

Act exclusive authority for things authorized.

Application of Local Government Act.

Expenditure of proceeds.

Applies only to Southern Pines School District, Moore County.

Conflicting laws repealed.

and endorsement of such approval upon bonds and as to the sale of bonds and the disposition of the proceeds, shall be applicable to the bonds authorized by this Act. The proceeds shall be paid out only upon order of the County Board of Education.

SEC. 8. This Act shall apply only to Southern Pines School District in Moore County.

SEC. 9. All laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 10. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1064

CHAPTER 523

AN ACT TO FIX THE FEES OF THE CLERK OF THE SUPERIOR COURT OF MECKLENBURG COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Fees and commissions of C. S. C., Mecklenburg County.

Fees not fixed herein charged in accord C. S. 3903.

Adoption.

Affidavit.

Docketing appeal.

Appeal to Supreme Court.

Order in attachment. Appointment, etc. of administrator.

Auditing accounts of executors, etc.

Minimum and maximum.

SECTION 1. Fees and commissions to be charged by the Clerk of the Superior Court of Mecklenburg County, shall be the following: *Provided*, that when a fee is not fixed herein, the fee to be charged therefor shall be as provided in section three thousand, nine hundred and three of the Consolidated Statutes.

SEC. 2. Adoption: petition, affidavit, order, letters, and recording, five dollars.

SEC. 3. Affidavit, or affidavit including jurat and certificate, twenty-five cents.

SEC. 4. Appeal, docketing from clerk or any other court, one dollar.

SEC. 5. Appeal to Supreme Court, including certificate and seal, two dollars.

SEC. 6. Attachment, order in, one dollar.

SEC. 7. Administrator, application and preliminary inventory, bond, oath, order of appointment and original letters, three dollars.

SEC. 8. Fees for auditing accounts of executors, administrators, et cetera, auditing annual or final accounts of receivers, executors, administrators, administrators with will annexed, collectors, surviving partners, guardian, trustees for incompetents, and trustees under wills, the fee shall be fifty cents for each one hundred dollars or a fraction thereof of the total receipts and disbursements through one thousand dollars and ten cents per each one hundred dollars or fraction thereof on everything above one thousand dollars, but in no instance shall the fee be less than one dollar nor more than one hundred dol-

lars for each year. *Provided* that when stocks and bonds or any other personal property is delivered to any heir, distributee, legatee or devisee, without converting the same into cash these fees shall be computed and charged on same just as though they had been converted into cash, the value of said stocks, bonds, et cetera to be fixed as of the date of death or qualification of the fiduciary, the fee to be charged by the clerk at time of filing either annual or final account.

Fees on personal property distributed in kind.

SEC. 9. Accounts of trustees and mortgagees: auditing final accounts of trustees and mortgagees or other persons, firms or corporations selling real estate under foreclosure proceeding required by law to render such final account, the fee shall be twenty-five cents on each one hundred dollars through one thousand dollars, and five cents for each one hundred dollars for everything above one thousand dollars; *provided*, the minimum fee shall be not less than one dollar and fifty cents *and provided*, the maximum fee shall be not more than twenty-five dollars.

Auditing accounts of trustees and mortgagees.

Minimum and maximum.

SEC. 10. Arrest: order of arrest, one dollar as to each defendant.

Order of arrest.

SEC. 11. Automobile tax report, fifty cents.

Automobile tax report.

SEC. 12. Bill of costs, preparing, fifty cents.

Bill of costs.

SEC. 13. Bond or recognizance, including justification for all bonds not otherwise provided for, seventy-five cents. This fee shall not apply to deputies sheriff, constables and other officers required by law to give a bond.

Justification of bond.
Exemption.

SEC. 14. Bond: prosecution bond for costs, including justification, twenty-five cents.

Prosecution bond.

SEC. 15. Bonds: all bonds must be justified before a justice of the peace, judge of Superior Court or clerk of the court.

Requirement as to justification.

SEC. 16. Capias: each defendant, one dollar, whether defendant is arrested or not.

Capias.

SEC. 17. Caveat to wills: entering and docketing the same for trial, two dollars and fifty cents; and ten cents for entering on cross index as to each party in the proceeding.

Caveat to will.

SEC. 18. Certificate and seal: fifty cents, except when it is a charge against the county, and in that instance, no fee shall be charged.

Certificate and seal.

SEC. 19. Claim and delivery: order of claim and delivery, one dollar.

Order of claim and delivery.

SEC. 20. Commissions: appointing and issuing, fifty cents without seal.

Issuing commissions.

SEC. 21. Commissions: five per cent commissions shall be allowed the clerk on all fines, penalties, amercements and taxes paid the clerk by virtue of his office.

Commissions on fines, etc. paid to Clerk.

SEC. 22. Commissions: the clerk shall receive three per cent on all sums of money placed in his hands by virtue of his office, except on judgments, decrees and executions.

Commissions on money entrusted with Clerk by virtue of office.

SEC. 23. Continuances: fifty cents.

Continuances.

SEC. 24. Copies of records: verifying, to be certified to with-

Copies of records.

	out certificate and seal, five cents per copy sheet of one hundred words and fifty cents additional for certificate and seal.
Return on sale by Commissioner.	SEC. 25. Commissioners: return on sale by commissioner when fund is turned over to a fiduciary, one dollar.
Confirmation of sale.	SEC. 26. Confirmation of sale; when signed by the clerk or judge, fifty cents.
Cross indexing.	SEC. 27. Cross indexing: the clerk shall receive ten cents for each name in all instruments that are cross indexed.
Probate of written instruments.	SEC. 28. Deed: order for registration of deed or other writing, twenty-five cents.
Probate of instruments proved by subscribing witness.	SEC. 29. Deed: probate of deed or other writing proven by a subscribing witness including affidavit and probate, twenty-five cents.
Probate and acknowledgment.	SEC. 30. Deed: probate of deed or other writing acknowledged by the signers or makers, including all except married women, who acknowledge at the same time with the certificate thereof twenty-five cents for the order of probate and twenty-five cents for private examination of each married woman signing same.
Writ of dower.	SEC. 31. Dower: issuing writ of dower, two dollars.
Docketing ex-parte proceedings.	SEC. 32. Ex-parte proceedings: docketing, one dollar.
Execution against property.	SEC. 33. Execution: issuing, against property, regular form, one dollar and fifty cents.
Execution against person.	SEC. 34. Execution against the person, one dollar and fifty cents.
Execution for specific property.	SEC. 35. Execution for specific property, one dollar.
Execution for possession.	SEC. 36. Execution for possession of property, one dollar, without seal.
Appointment, etc. of executor.	SEC. 37. Executors: application, recording of preliminary inventory, oath, appointment, bond and original letters, three dollars.
Docketing return on execution.	SEC. 38. Execution: docketing return on execution, fifty cents.
Filing papers.	SEC. 39. Filing papers; ten cents for each paper filed.
Appointment, etc. of guardian.	SEC. 40. Guardians: applications, recording of preliminary inventory, appointment, oath, bond and original letters, three dollars.
Certifying copy, guardian's letters.	SEC. 41. Guardians: each certified copy of letters, fifty cents with seal.
Notifying solicitor of guardian's removal.	SEC. 42. Guardian: notifying solicitor of removal of guardian, one dollar.
Appointment of guardian ad litem.	SEC. 43. Guardian ad litem: appointment of, fifty cents.
Hearing before Clerk.	SEC. 44. Hearing before the clerk, one dollar per hour for each hour; minimum fee to be not less than one dollar.
Indexing minute book.	SEC. 45. Indexing in minute book, ten cents each time indexed.
Docketing indictment.	SEC. 46. Indictment: docketing for each person in bill, forty cents.
Certificate on bill of indictment.	SEC. 47. Indictment: certificate on bill of indictment, fifty cents.
Injunction order.	SEC. 48. Injunction: order for, one dollar.

SEC. 49. Inventory of administrators, administrators with will annexed, receivers, surviving partners, executors, guardians, collectors, trustees for incompetents, and trustees under will, regular form, one dollar, each additional sheet, fifty cents.

Inventory of fiduciaries.

SEC. 50. Incorporations: recording certificates of incorporation when same does not contain more than four legal sheets, three dollars, and twenty cents per one hundred words in addition to the three dollars for each sheet over four.

Recording certificate of incorporation.

SEC. 51. Justices of the peace; qualifying, fifty cents.

Qualifying justice of peace.

SEC. 52. Judgment: docketing judgment, fifty cents minimum for regular short form judgment and twenty cents per one hundred words additional for long form judgment.

Docketing judgment.

SEC. 53. Judgment: each certificate of satisfaction or docket entries with seal, seventy-five cents.

Certificate of satisfaction of judgment.

SEC. 54. Judgment: indexing on cross index book for each party in the judgment, including plaintiff and defendant, ten cents each time entered on a cross index.

Indexing judgment.

SEC. 55. Judgment: final judgment in all civil actions, one dollar, whether signed by clerk or judge.

Final judgment.

SEC. 56. Judgment: by confession, without notice, all services, three dollars.

Judgment by confession.

SEC. 57. Judgment nisi: recording each, fifty cents.

Recording judgment nisi.

SEC. 58. Judgment: docketing transcript of judgment, regular form, fifty cents with twenty cents per one hundred words in addition to the fifty cents for long form judgments.

Docketing transcript of judgment.

SEC. 59. Jury: impaneling, twenty-five cents.

Impaneling jury.

SEC. 60. Jury tax: five dollars minimum, to be taxed in every case appearing on the trial docket with five dollars additional to be charged for each additional day or fraction thereof.

Jury tax.

SEC. 61. Lien: minimum fee, one dollar and fifty cents.

Lien.

SEC. 62. Minutes: recording of, fifteen cents per copy sheet of one hundred words for each paper recorded in the minutes of the court, whether signed by judge or clerk.

Recording minutes.

SEC. 63. Motion: entry and record of, twenty-five cents.

Entry of motion.

SEC. 64. Mortgages, chattel: probate of chattel mortgage, twenty-five cents.

Probate of chattel mortgage.

SEC. 65. Mortgages, chattel: probate of chattel mortgage when proven by a subscribing witness, including order of registration, twenty-five cents.

Probate of chattel mortgage proven by subscribing witness.

SEC. 66. Acknowledgment of chattel mortgage or conditional sale contract, twenty-five cents for the privy examination of each married woman.

Privy examination of married woman signing chattel mortgage.

SEC. 67. Notice and order: all notices and orders, whether signed by judge or clerk, fifty cents.

Notices and orders.

SEC. 68. Notary Public: qualifying and indexing, fifty cents.

Qualifying Notary Public.

SEC. 69. Nurses: registering trained nurses, including certificate, of registration and seal, fifty cents.

Registration of nurses.

SEC. 70. Next friend: appointment of, fifty cents.

Appointment of next friend.

Recording, etc.
partnership agree-
ment.

Recording appoint-
ment of process
agent.

Filing petition.

Presentment.

Order of publication.

Order to sue as
pauper.

Recording papers.

Filing relinquish-
ment of right to
administer, etc.
Transcript of
records.

Stating account as
referee.

Docketing summons.

Seal.

Subpoena.

Issuing summons.

Copies of summons.

Docketing sheriff's
levy.

Court stenographer.

Transcript.

Transcript on issues
of law.

Widow's year's
support.

Docketing deficiency
judgment for support.

Probate of will.

Recording will.

No jury tax when
Clerk signs judg-
ment.

No compensation for
jurors excused.

Judge authorized to
strike out jury tax
and stenographer's
fee in certain cases.

SEC. 71. Partnership: probate of regular or limited part-
nership, certificate and recording same, fifty cents.

SEC. 72. Process Agent: recording appointment of process
agent for non-resident, one dollar.

SEC. 73. Petition: affidavit and filing, thirty-five cents.

SEC. 74. Presentment: each defendant in same, one dollar.

SEC. 75. Publication: order of, fifty cents.

SEC. 76. Pauper: order to sue as a pauper, one dollar.

SEC. 77. Recording: papers, per copy sheet of one hundred
words, fifteen cents.

SEC. 78. Relinquishment of right to administer or qualify, a
fiduciary, receiving, filing and noting same, twenty-five cents.

SEC. 79. Record: transcript of any matter of record or pa-
pers on file, per copy sheet of one hundred words, fifteen cents.

SEC. 80. Referee: stating any account as referee, pursuant
to order of the judge, such allowance as the judge may make.

SEC. 81. Summons: docketing, twenty-five cents.

SEC. 82. Seal of office: twenty-five cents.

SEC. 83. Subpoena: each name in same, fifteen cents.

SEC. 84. Summons: issuing original in any action, one dollar.

SEC. 85. Summons: every copy of same, twenty-five cents.

SEC. 86. Sheriff's levy: docketing sheriff's levy, twenty cents
per one hundred words.

SEC. 87. Stenographer: court stenographer, a minimum
charge of two dollars and fifty cents with two dollars and fifty
cents additional to be charged for each additional day or frac-
tion thereof. This fee to be charged in all civil and criminal
cases.

SEC. 88. Transcript: issuing, regular form, seventy-five
cents, with twenty cents per one hundred words additional for
long form judgment, this in addition to the seventy-five cents.

SEC. 89. Transcript on issues of law joined, one dollar.

SEC. 90. Widow's year's support: docketing report on allot-
ment, seventy-five cents.

SEC. 91. Widow's year's support: docketing judgment for
deficiency, seventy-five cents.

SEC. 92. Will: probate of will in common form, one dollar.

SEC. 93. Will: recording of, fifteen cents per one hundred
words.

SEC. 94. No jury tax is to be charged in civil cases when
clerk signs judgment.

SEC. 95. That whenever any regular juror summoned for
the beginning of any term of court is excused by the judge on
the convening of court, he shall not receive any compensation
for attending as such juror.

SEC. 96. Criminal cases: the judge, in his discretion, may
strike out jury tax and court stenographer's fee, either or both,
when the defendant pleads guilty, and jury is not impeaned
and court stenographer does not begin the taking of evidence.
If trial is begun, jury impeaned and court stenographer start-

ed to take evidence, in the event the defendant pleads guilty, without the jury passing upon same, court stenographer and jury tax to be charged according to schedule.

SEC. 97. The foregoing shall be the fees to be charged by the Clerk of the Superior Court of Mecklenburg County in criminal actions wherein the defendant is adjudged to pay the costs, said fees to be taxed by the clerk in the bill of costs against the losing party for the purposes and in the actions enumerated herein.

Fees taxed County
in Bill of Costs.

SEC. 98. That this Act shall apply to Mecklenburg County only.

Applies to Mecklen-
burg County only.

SEC. 99. That all laws or clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws
repealed.

SEC. 100. That this Act shall be effective on and after its ratification.

Effective date.

The fees provided herein to be paid to the clerk for services rendered by him, as Clerk of the Superior Court of Mecklenburg County shall be collected as provided in section three thousand eight hundred and forty-nine of the Consolidated Statutes.

Fees paid to Clerk.

The clerk may require a prosecution bond in all special proceedings instituted before him and all fees due the Clerk for services rendered the parties in special proceedings may be charged and collected in advance.

Collection.

Prosecution bond
and fees in special
proceedings.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1065

CHAPTER 524

AN ACT TO PROVIDE FOR THE PAYMENT OF SUMS OF MONEY OF THREE HUNDRED DOLLARS (\$300.00) OR LESS DUE PERSONS WHOSE ADDRESS OR PLACE OF RESIDENCE IS UNKNOWN.

The General Assembly of North Carolina do enact:

SECTION 1. Whenever any person or persons whose place of residence or address is unknown shall be entitled to receive any dividend or moneys from the Receiver of any National Bank in North Carolina or from the Commissioner of Banks of North Carolina, provided such sum shall not exceed the sum of three hundred dollars (\$300.00), it shall be lawful for such Receiver or the Commissioner of Banks of the State of North Carolina or his duly authorized agent to pay such sum into the office of the Clerk of the Superior Court of the county in which said bank is located and such payment hereunder shall have the same legal effect as a discharge of the obligation of such Receiver or Commissioner of Banks as if the same had been paid to such person or persons in person and receipt taken for the same.

Closed bank
dividends due to
persons, whose ad-
dress unknown, paid
to C. S. C. (Stokes
and Surry Counties).

Legal effect.

Funds held by
C. S. C. until
lawfully claimed.

Compensation of
Clerk.

Clerk's liability.

Applies to Stokes
and Surry Counties
only.

Conflicting laws
repealed.

SEC. 2. That the Clerk of the Superior Court shall receive and hold such funds paid into his hands hereunder until the lawful claimant therefor shall claim the same.

SEC. 3. That as compensation for his services in receiving such funds the Clerk of the Superior Court shall receive two per centum commission, one percent upon receiving the same and one percent for paying out or disbursing the same.

SEC. 4. That the Clerk of the Superior Court shall be chargeable with and liable for only such interest on said fund or funds as is actually paid to and received by said clerk.

SEC. 5. This Act shall apply to Stokes County and Surry County only.

SEC. 6. That all laws and clauses of laws in conflict herewith are hereby repealed.

SEC. 7. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1099

CHAPTER 525

AN ACT TO VALIDATE AND RATIFY THE OUTSTANDING INDEBTEDNESS OF THE CITY OF HENDERSONVILLE.

The General Assembly of North Carolina do enact:

Outstanding indebtedness of City of Hendersonville, validated.

SECTION 1. That all indebtedness of the City of Hendersonville heretofore incurred and now outstanding, whether represented by bonds, coupons, warrants, notes, certificates of indebtedness or other instruments, is hereby validated and confirmed and found and declared to be the valid and legally binding indebtedness of the City of Hendersonville, in accordance with the terms thereof, and it is hereby found and recited that said indebtedness was incurred for the payment of the necessary expenses of the City of Hendersonville, and for special purposes and with the special approval of the General Assembly, in compliance with the provisions of the Constitution of North Carolina.

SEC. 2. That all Acts and parts of Acts in conflict with this Act to the extent of such conflict are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

Conflicting laws
repealed.

H. B. 1101

CHAPTER 526

AN ACT AMENDING SECTION FIVE, CHAPTER THREE HUNDRED AND NINETY-EIGHT, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-THREE, RELATING TO THE SALARY AND COMPENSATION OF THE AUDITOR OF BLADEN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section five, chapter three hundred and ninety-eight, Public-Local Laws of one thousand nine hundred and thirty-three, which section relates to the salary and compensation of the Auditor of Bladen County, be and the same is hereby amended by striking out in line two thereof the words "fifteen hundred dollars" and by inserting in lieu thereof the words "not less than fifteen hundred dollars and not more than eighteen hundred dollars."

Ch. 398, Public-Local Laws, 1933, amended.

Increase in salary of Bladen County Auditor, authorized.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after the first Monday in April, one thousand nine hundred and thirty-seven.

Effective date.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1104

CHAPTER 527

AN ACT AUTHORIZING AND EMPOWERING THE BOARD OF COMMISSIONERS OF THE TOWN OF BLADENBORO TO REMIT CERTAIN INTEREST AND PENALTIES ACCRUING PRIOR TO THE FIRST DAY OF JULY, ONE THOUSAND NINE HUNDRED AND THIRTY-SEVEN.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of the Town of Bladenboro is hereby authorized and empowered to remit any or all interest and/or penalties accruing prior to the first day of July, one thousand nine hundred and thirty-seven, on all taxes due said town for the year one thousand nine hundred and thirty-six and for all years prior thereto, and on all street and/or sidewalk paving assessments now due said town. But no further or additional remission of interest and/or penalties on any taxes or any street and/or sidewalk paving assessment now or hereafter due said town shall be allowed by said Board of Commissioners.

Town of Bladenboro authorized to remit interest and penalties on certain taxes and assessments.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1127

CHAPTER 528

AN ACT TO AMEND CHAPTER TWENTY OF THE PUBLIC-LOCAL LAWS OF THE EXTRA SESSION OF ONE THOUSAND NINE HUNDRED THIRTEEN.

The General Assembly of North Carolina do enact:

Ch. 20, Public-Local Laws, Extra Session, 1913, amended.

Sec. 1, rewritten.

Election of prosecuting attorney for Mayor and Recorder's Court, Town of Spencer.

Term.

Salary.

SECTION 1. That section one of chapter twenty of the Public-Local Laws of the Extra Session of one thousand nine hundred thirteen is hereby repealed in its entirety and that in lieu thereof the following is hereby inserted:

"SECTION 1. That there shall be elected by the Board of Aldermen of the town of Spencer a prosecuting attorney for the Mayor and Recorder's Court for Spencer, North Carolina, for such length of time as the Board of Aldermen of the town of Spencer may fix. That the prosecuting attorney's salary shall not be less than fifty (\$50.00) dollars per annum to be paid by the town of Spencer in equal monthly installments, but authority is hereby given the Board of Aldermen of Spencer to increase the same from time to time, should the amount of business and usefulness of the court justify such an increase."

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1234

CHAPTER 529

AN ACT VALIDATING TAX SALES IN THE TOWN OF AYDEN AND EXTENDING TIME FOR FORECLOSURE SUITS TO JANUARY FIRST, ONE THOUSAND NINE HUNDRED AND THIRTY-EIGHT.

The General Assembly of North Carolina do enact:

Delinquent tax sales since 1929, Town of Ayden, Pitt County, validated.

Time for bringing delinquent tax and assessment foreclosure suits, extended.

Applicable also to certain towns in Anson County.

Conflicting laws repealed.

SECTION 1. That all sales of property for delinquent taxes made by the town of Ayden, Pitt County, on any day other than that allowed by law for such sales, since the year one thousand nine hundred and twenty-nine, be and the same are hereby in all respects validated.

SEC. 2. That the time for bringing foreclosure suits for delinquent taxes and delinquent paving assessments in said town, be and the same is hereby extended to January first, one thousand nine hundred and thirty-eight.

SEC. 2½. That the foregoing provisions shall likewise apply to the Towns of Lilesville, Morven, Ansonville, Peachland, and Polkton, in Anson County, North Carolina.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1253

CHAPTER 530

AN ACT TO REGULATE THE PRACTICES AND FEES OF THE JUSTICES OF THE PEACE IN CASES WITHIN THE JURISDICTION OF THE RECORDER'S COURT OF CUMBERLAND COUNTY AND TO REPEAL CHAPTER SIXTY-EIGHT OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE.

The General Assembly of North Carolina do enact:

SECTION 1. That any criminal warrant issued by any justice of the peace within Cumberland County wherein the offense charged is not within the original jurisdiction of the justice of the peace but is within the final jurisdiction of the Recorder's Court of Cumberland County, shall be made by the said justice of the peace returnable directly to the Recorder's Court of Cumberland County.

Criminal warrants issued by justices of peace, Cumberland County, returnable direct to Recorder's Court in certain cases.

SEC. 2. That the justice of the peace for his services in taking affidavits, issuing warrants, subpoenaing witnesses and taking bonds under section one hereof shall receive as fee therefor the sum of one dollar.

Fees for justices of the peace.

SEC. 3. That any justice of the peace violating the provisions of this Act shall be guilty of a misdemeanor and upon conviction shall be fined not less than fifty dollars nor more than one hundred dollars or sixty days in jail or both in the discretion of the court.

Violation by justice of peace made a misdemeanor.

SEC. 4. That chapter sixty-eight of the Public-Local Laws of one thousand nine hundred and thirty-five is, and all other laws and clauses of laws in conflict herewith, are hereby repealed.

Ch. 68, Public-Local Laws, 1935, repealed.

SEC. 5. That this Act shall apply only to Cumberland County.

Applies only to Cumberland County

SEC. 6. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

S. B. 228

CHAPTER 531

AN ACT TO CREATE THE POSITION OF KEEPER OF THE COMMON JAIL OF ALAMANCE COUNTY: TO AMEND THE LAWS IN REFERENCE THERETO AND TO RELIEVE THE SHERIFF FROM THE DUTIES IMPOSED UPON HIM AS CUSTODIAN OF THE JAIL OF ALAMANCE COUNTY.

The General Assembly of North Carolina do enact:

Sheriff, Alamance County, relieved of duties as keeper of jail.

Laws imposing such duties repealed.

Appointment of "Keeper of the jail of Alamance County."

Term.

Successor appointments.

Removal.

Vacancy appointments.

Duties.

Penalties and obligations.

Bond.

SECTION 1. The Sheriff of Alamance County is hereby relieved from any and all duties imposed upon him by sections three thousand nine hundred forty-three, three thousand nine hundred forty-four, three thousand nine hundred forty-five, three thousand nine hundred forty-six, one thousand three hundred forty-nine, one thousand three hundred fifty, one thousand three hundred fifty-two, one thousand three hundred fifty-three, and any other section of the Consolidated Statutes, whether enumerated herein or not, and any laws, Private, Public-Local or Public, creating him custodian or keeper of the jail of Alamance County, or imposing any duties upon him as such custodian or keeper of the jail of Alamance County, in so far as they relate to Alamance County they are hereby repealed.

SEC. 2. There is hereby created the position of "keeper of the jail of Alamance County." The Board of Commissioners of Alamance County shall at its meeting on the first Monday in April, A.D., one thousand nine hundred thirty-seven, elect, choose or appoint some person as keeper of the common jail of Alamance County for the term ending December first, one thousand nine hundred thirty-eight, and upon said first Monday in December, one thousand nine hundred thirty-eight, and bi-annually thereafter, elect, choose or appoint the keeper of said jail as herein provided, *provided* that the said Board of County Commissioners shall in their discretion be permitted to terminate the office of any person so elected or appointed at any time, and thereupon shall select a new person to serve as keeper of said common jail for the remainder of said term. There is hereby imposed upon such person so selected as keeper of the common jail all of the duties now imposed by law upon the Sheriff of Alamance County as custodian or keeper of the jail thereof, and he shall be subject to all the penalties, obligations, civil or criminal, which are now and which may be hereafter by general law be imposed upon the sheriff as custodian or keeper of the jail, or which may be imposed upon such person as the custodian or keeper of the jail of Alamance County, except as herein specifically modified or changed.

SEC. 3. Before entering upon the duties of his office, such person shall execute a good and sufficient bond in a sum to be determined by the Board of County Commissioners of Alamance County, payable to the State of North Carolina, and conditioned

for the faithful performance of all the duties imposed upon him by law, which said bond shall be approved by the said Board of Commissioners of Alamance County and shall be filed with the Register of Deeds of said county as are bonds for the sheriff thereof.

SEC. 4. Immediately upon the qualification of the keeper of the jail, the Sheriff of Alamance County shall deliver to such keeper the keys to the jail and shall deliver the prisoners to such keeper, following as nearly as may be the provisions of section one thousand three hundred fifty-two of the Consolidated Statutes, whereupon the liability of the sheriff shall cease. The keeper of the jail shall in like manner deliver the keys and prisoners to his successor in office. All commitments and other records in the possession of the sheriff upon the qualification of the keeper shall be delivered to the keeper, who shall hereafter keep such commitments and records either under the present system or some system to be devised and inaugurated by the County Auditor.

SEC. 5. The keeper of the jail shall keep the same in a clean and sanitary condition; shall furnish to the prisoners clean and sufficient bedding, and shall furnish to each of the prisoners sufficient food, properly prepared and cooked. The cost thereof shall be paid by the County of Alamance upon statements or requisitions signed by the keeper of the jail and approved by the County Purchasing Agent or County Auditor.

SEC. 6. The Board of Commissioners of Alamance County and the Board of Aldermen of any incorporated city or town located in Alamance County may make an agreement and arrangement by which prisoners arrested by the police officers of such city or town may prior to their trial be committed to the county jail and kept upon such terms and conditions as may be agreed upon by the respective boards, and such prisoners shall be kept by the keeper of the jail in the same manner as other prisoners so committed, and he shall keep such records thereof as the County Auditor may require.

SEC. 7. The Board of Commissioners of Alamance County shall have full and complete supervision of the county jail for such county and the grounds adjacent thereto, and shall have the power to prescribe the rules and regulations and general policies of the operation of such jail and the maintenance and supervision of the same, and shall have full power and authority to fix and assess against the inmates of such jail such charges as they shall deem advisable to be assessed as part of the bill of cost in each case for food, raiment and etc., and to prescribe such turnkey charges as they may deem advisable. Such sums as are collected from charges assessed against the inmates for food, raiment and turnkey shall be turned over to the County Treasurer to reimburse the county for expenses incurred in the operation and maintenance of the jail.

Condition of bond.

Approval and filing.

Delivery of keys and prisoners to keeper.

Delivery of keys and prisoners to successors.

Commitments and other records delivered to keeper.

Manner of keeping jail and caring for prisoners.

Payment of costs.

Arrangements for keeping prisoners arrested by police officers of towns within County.

Supervision of jail.

Rules and regulations.

Costs for food, clothing, etc. for prisoners taxed in bill of costs.

Turnkey charges.

Sums collected paid to County Treasurer.

Assistants
authorized.

Compensation.

Keeper authorized
to require duties
of inmates.

Keeper and assistants
under supervision of
County Commis-
sioners.

Removal from office.

Election of
successors.

Conflicting laws
repealed.

SEC. 8. The Board of Commissioners shall allow the keeper of the jail such assistants as in their opinion is necessary, and the keeper of the jail and every assistant shall be paid such compensation as may be fixed by the Board of Commissioners. The keeper of the jail may use the inmates in keeping the jail clean, in laundering bedding and clothing, and preparing the food and serving the same, and in performing other duties in and about the said jail.

SEC. 9. The keeper of the jail and any assistants shall at all times be under the general orders and supervision of the Board of County Commissioners of Alamance County. And the said Board of Commissioners is hereby authorized and empowered, whenever in their opinion is necessary and proper so to do, to terminate the office of the keeper or any assistant and elect others in place of and in lieu thereof.

SEC. 10. All laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 11. This Act shall be in full force from and after the date of its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D., 1937.

S. B. 388

CHAPTER 532

AN ACT CREATING A CENTRAL BOARD OF ASSESSORS FOR CRAVEN COUNTY AND TO AUTHORIZE THE QUADRENNIAL ASSESSMENT TO BE DEFERRED.

The General Assembly of North Carolina do enact:

Creation of Central
Board of Assessors
for Craven County,
authorized.
Duties.

SECTION 1. That the Board of County Commissioners for the County of Craven, are hereby authorized and empowered, in their discretion, to create a board to be known as the Central Board of Assessors for Craven County, whose duties it shall be to supervise the assessment of all real property for taxation. It shall be the duty of the members of the Central Board of Assessors to visit the assessors in each township while they are engaged in assessing real property for taxation, and shall advise and confer with such assessors to the end that all real property subject to taxation shall be assessed fairly and uniformly in the several townships.

Board authorized
to act as Board of
Equalization.

Powers.

SEC. 2. The Central Board of Assessors shall, at the request and by authority of the County Board of Commissioners, act as a Board of Equalization for the purpose of equalizing the valuation of real estate in the several townships, and shall hear appeals from valuations fixed by township assessors, order new appraisals or confirm the appraisal as made by township assessors. Appeal from the Board of Assessors acting as a Board of Equalization may be had by appearing before the Board of County Commissioners sitting as a Board of Equalization and Review.

Appeals from Board
of Assessors to
County Commis-
sioners.

SEC. 3. The Central Board of Assessors for Craven County shall be composed of not less than three, and not more than five members, appointed by the Board of County Commissioners for Craven County. The Board of County Commissioners, in order to promote the common weal in making the appointments to the Central Board of Assessors, or in the event there is a vacancy on said board, on account of illness, resignation, or otherwise, of one of its members, may delegate the duties of one of the members of the Central Board of Assessors to one of its members to be performed ex officio as mere auxiliary duties and designate one of its members to perform such duties, and the person so designated shall have all of the powers and authority as a member of the Central Board of Assessors while he shall serve in that capacity and shall receive such compensation as a member of said board, but shall receive no salary as a member of the Board of County Commissioners for Craven County, while performing the duties as a member of the Central Board of Assessors.

Appo'intment
of members.

Authority to designate
member of Board of
Commissioners as
member of Board
of Assessors.

Powers.

Compensation.

SEC. 4. That the Central Board of Assessors shall serve for such time and receive such compensation as may be prescribed by the Board of County Commissioners. The County Commissioners are authorized to provide such clerical or other assistance as they may deem advisable.

Tenure of office.

Compensation.

Clerical assistance.

SEC. 5. In their discretion the Board of Commissioners may defer a determination of whether or not the real estate in the county shall be revalued as provided in the Machinery Act of one thousand nine hundred and thirty-seven until the first Monday in March, one thousand nine hundred and thirty-eight, or the first Monday in March, one thousand nine hundred and thirty-nine, and in the event they shall determine upon a revaluation on either of said dates, they shall proceed as provided in said Machinery Act, except as herein set out.

Commissioners au-
thorized to defer
quadrennial as-
sessment.

SEC. 6. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws
repealed.

SEC. 7. That this Act shall apply only to Craven County.

Applies only to
Craven County.

SEC. 8. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D., 1937.

S. B. 408

CHAPTER 533

AN ACT AUTHORIZING THE REMOVAL OF PART OF A CEMETERY OR BURIAL GROUND ABUTTING ON WHITE STREET IN THE CITY OF WINSTON-SALEM.

The General Assembly of North Carolina do enact:

SECTION 1. Authority is hereby granted to the City of Winston-Salem to move that part of Liberty Graveyard, between 10½ and 11th Streets, abutting on White Street in the City of

Removal of part of
Liberty Graveyard
abutting on White
Street, Winston-
Salem, authorized.

Purpose.

Removal of bodies.

Applies only to
Winston-Salem.

Winston-Salem, necessary to effect a widening of White Street, in accordance with such action as the City of Winston-Salem may take for the widening of the said street, and to this end the City of Winston-Salem, through its duly constituted agents, is authorized to disinter and remove bodies upon that part of the graveyard or burial ground affected by the proposed change; *provided, however*, that any bodies so moved shall be re-interred in another part of the said cemetery or in some other cemetery or burial ground at the expense of the City of Winston-Salem.

SEC. 2. This Act shall apply only to the City of Winston-Salem.

SEC. 3. This Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D., 1937.

S. B. 412

CHAPTER 534

AN ACT TO AMEND CHAPTER ONE HUNDRED AND NINETY-FOUR, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-ONE RELATING TO FEES OF THE SHERIFF OF CALDWELL COUNTY.

The General Assembly of North Carolina do enact:

Ch. 194, Public-Local Laws, 1931, amended.

Sheriff's fee for levying attachment, Caldwell County, increased.

Conflicting laws repealed.

SECTION 1. Amend section one by striking out in lines eight and nine the words "one dollar and fifty cents" and inserting in lieu thereof the words "two dollars."

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D., 1937.

S. B. 428

CHAPTER 535

AN ACT TO CREATE AND ESTABLISH A BUREAU OF IDENTIFICATION FOR WAKE COUNTY.

The General Assembly of North Carolina do enact:

Creation of Bureau of Identification for Wake County.

SECTION 1. That in order to provide for the performance of the duties hereinafter designated and defined for the better enforcement of the criminal laws in Wake County, there is hereby created and established a Bureau of Identification for Wake County.

SEC. 2. That on the first Monday in May, one thousand nine hundred and thirty-seven, and every two years thereafter, the Chairman of the Board of County Commissioners of Wake County and the Commissioner of Public Safety of the City of Raleigh and the Solicitor of the Seventh Judicial District shall name and appoint an identification expert and two assistants, one from the Police Department of the City of Raleigh and one from the office of the Sheriff of Wake County, who shall be under the supervision of the Solicitor of the Seventh Judicial District. The salary of said identification expert and the two assistants shall be fixed by the County Board of Commissioners of Wake County and by the Board of Commissioners of the City of Raleigh and the salaries shall be paid equally by said Wake County and the City of Raleigh in monthly installments.

Appointment of
identification expert
and two assistants.

Supervision by
Solicitor.

Salary.

SEC. 3. That it shall be the duty of the identification expert and his assistants to finger print and photograph persons arrested in Wake County charged with crime when, in the opinion of the said identification expert or in the opinion of the Solicitor of the Seventh Judicial District, the crime with which said person arrested is charged or suspected of warrants finger printing or photographing and shall make photographs of the scene of all homicides and shall assist the Sheriff of Wake County and the Police Department of the City of Raleigh in all matters for the apprehension of criminals and to make such investigations as ordered by the Solicitor of the Seventh Judicial District, and the said identification expert and his assistants shall be vested with the authority of Deputy Sheriffs of Wake County.

Duties.

Authority.

SEC. 4. That Wake County and the City of Raleigh shall provide suitable office space for the identification expert and his assistants and shall provide the necessary equipment for the proper performance of the duties of the office. The cost of said equipment shall be paid for jointly by the City of Raleigh and Wake County and not to cost more than one thousand (\$1,000.00) dollars.

Office space.

Equipment.

SEC. 5. That nothing in this Act shall be construed as increasing the number of Deputy Sheriffs for Wake County or police officers of the City of Raleigh, but one of the assistants herein provided for shall constitute a Deputy Sheriff of Wake County and the other a Police Officer of the City of Raleigh.

Increase in number
of deputy sheriffs
of county, or police
officers of Raleigh,
not provided.

SEC. 6. That all laws and clauses of laws in conflict with this Act, to the extent of such conflict, are hereby repealed.

Conflicting laws
repealed.

SEC. 7. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D., 1937.

S. B. 439

CHAPTER 536

AN ACT TO AMEND CHAPTER FIVE HUNDRED AND FIFTY-NINE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE BY MAKING THE SAME APPLY TO ALAMANCE COUNTY.

The General Assembly of North Carolina do enact:

Ch. 559, Public-Local Laws, 1935, amended.

Act authorizing school building bonds made applicable to Alamance County.

Conflicting laws repealed.

SECTION 1. Amend chapter five hundred and fifty-nine of the Public-Local Laws of one thousand nine hundred and thirty-five by striking out section eleven and inserting in lieu thereof the following: "This Act shall apply only to Cleveland and Alamance Counties."

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D., 1937.

S. B. 460

CHAPTER 537

AN ACT TO SIMPLIFY THE PAYMENT OF MONEY FOR INDIGENT CHILDREN AND PERSONS NON COMPOS MENTIS AND THE DISPOSITION OF THE SAME IN FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

Sums not exceeding \$500 due to minors, incompetents, etc. without guardians, payable to public guardian, Forsyth County.

SECTION 1. Whenever any minor, indigent or needy child or insane or incompetent person for whom no guardian or trustee has theretofore been appointed shall be entitled to receive from any person a sum of money to the extent of five hundred (\$500.00) dollars or less, it shall be lawful for the person, firm or corporation owing such sum of money or having the same in hand for the benefit of such minor, indigent child, insane or incompetent person to pay the same over to the public guardian of the county of which said minor, indigent child, insane or incompetent person is a legal resident, and for purposes hereof the said public guardian shall be deemed to be the guardian of such child or person.

Notice to public guardian by party owing sum to minor, etc.

Certified copy of public guardian's appointment sufficient authority for receiving payment.

SEC. 2. Whenever such person owing money to or having money in hand for the benefit of such minor, indigent child, or insane or incompetent person shall desire to avail himself of the provisions of this Act, he shall notify the public guardian of such fact and of his desire to make such payment, and thereupon the said public guardian shall furnish the said payer with a certified copy of the general order of appointment of such public guardian and no other authority to receive such payment shall be required of him, and it shall be unnecessary for

him to qualify as guardian or trustee of the estate of any such minor, indigent child, insane or incompetent person in any other manner, and immediately upon the receipt of such payment to him, he shall be deemed to be the guardian of the estate of such person in as full and ample a manner as if special letters of guardianship had been issued to him, and he shall thereafter possess all of the rights with respect to the said estate of such minor, indigent child, insane or incompetent person as any other guardian might possess and, except as herein provided, shall be subject to the same duties, obligations and liabilities as any other guardian might be.

SEC. 3. Whenever any person shall avail himself of the provisions of this Act by the payment of any sums of money to said public guardian, he shall issue to said payer his official receipt therefor under the seal of his office, which receipt shall be a full and complete discharge of said payer from further liability upon said debt or obligation to the extent of such payment.

SEC. 4. On the first days of January, April, July and October of each year the public guardian shall file in the office of the Clerk of the Superior Court of the county of his appointment a list or report of all such estates as shall have come into his hands under the provisions of this Act during the preceding months. Said report shall contain the name of the minor, indigent child, insane or incompetent person the amount of such payment and the source from which received, a statement of any other assets belonging to the estate of such person, together with such other information as may be required of him by the said clerk, and shall be recorded in the office of said clerk in the same manner as are inventories of other estates.

SEC. 5. On the first day of January next after the enactment of this Act and on the first days of each July and January thereafter the said public guardian shall file in the office of the said clerk a report of all estates administered by him under the provisions of this Act. Such report shall contain the names of such minors, indigent children, insane or incompetent persons for whom the same are being administered, the assets received by him, an itemized statement of all disbursements made and for what purposes and the value of the estates of such persons on hand at the date of said report, together with such other information as may be required by said clerk. Said report shall be examined, audited, approved and recorded by said clerk in the same manner as are reports of other estates.

SEC. 6. All sums of money received by the said public guardian under the provisions of this Act shall be held by him and upon satisfactory proof of the necessities of such minor, indigent child, insane or incompetent person, the said public guardian shall disburse the said funds in his hands by paying out the same in such sum or sums at such time or times as in his judgment is for the best interests of said minor, indigent child,

Public guardian deemed guardian of particular minor or incompetent, etc. upon receipt of payment.

Rights.

Duties.

Discharge of payer.

Quarterly reports by public guardian to C. S. C.

Contents.

Semi-annual reports by public guardian to C. S. C.

Contents.

Examination, audit, approval, etc.

Custody and disbursement of funds by public guardian.

Receipt obtained from payee.	insane or incompetent person and for the sole benefit and maintenance thereof. The said guardian shall take a receipt from the person to whom any such sum is paid and may require such person to render an account of the expenditure of the sum or sums so paid, which receipt or voucher shall be exhibited to the Clerk of the Superior Court at the time of the filing of the said public guardian's next annual report as herein elsewhere provided.
Account of expenditures.	
Special bond.	SEC. 7. The public guardian shall enter into a special bond with three or more sureties, to be approved by the clerk, in the penal sum of five thousand (\$5,000.00) dollars payable to the State of North Carolina and conditioned upon the faithful performance of his office with respect to the estates committed to his charge under the provisions of this Act. Such bond shall remain in force so long as the public guardian shall remain in office and until all such estates coming into his hands shall have been fully administered. Whenever it shall appear from the annual report of said public guardian filed on the first day of January that the aggregate personal assets of said estates administered hereunder are in excess of four thousand (\$4,000.00) dollars, the said clerk shall require such additional security to be furnished as he may deem sufficient to adequately protect the estates thus administered. The premium for such bond shall be paid by the said public guardian personally, but he shall be entitled to charge each such estate in his hands with a bond fee for such bond upon the basis of one (\$1.00) dollar per hundred dollars or fraction thereof of the personal estate of such minor, indigent child, insane or incompetent person coming into his hands, which fee shall be in addition to any other fee or compensation to which he shall be entitled.
Continuation of bond.	
Additional security.	
Payment of bond premiums.	
Bond fee charged against each estate.	
Compensation for services of public guardian.	SEC. 8. As compensation for his services the said public guardian shall receive the same fees and commissions upon each estate administered hereunder as are allowed by law in other cases of guardianship <i>provided, however</i> , that for good cause shown, the said Clerk of Superior Court is authorized and empowered to allow such additional compensation as in his opinion shall adequately compensate the said guardian for services rendered in administering the said estate.
Private seal.	SEC. 9. The said public guardian shall be entitled to keep a private seal of such design as will indicate his office and when affixed to instruments executed by him in his official capacity shall be entitled to full recognition as such.
Application of Consolidated Statutes.	SEC. 10. Except as herein contained, all other provisions of the Consolidated Statutes relating to the administration of estates by guardians or trustees not inconsistent herewith shall apply to estates administered by said public guardian under the provisions of this Act, but all laws and clauses of laws in conflict herewith are hereby repealed. This Act shall apply to Forsyth County only.
Conflicting laws repealed.	
Applies only to Forsyth County.	

SEC. 11. This Act shall be in full force and effect from and after the date of its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D., 1937.

H. B. 1137

CHAPTER 538

AN ACT TO FACILITATE THE HANDLING OF WELFARE PROBLEMS IN THE CITY OF ROCKY MOUNT BY THE STATE BOARD OF CHARITIES AND PUBLIC WELFARE.

The General Assembly of North Carolina do enact:

SECTION 1. That in order to facilitate the handling of welfare and relief problems arising within the City of Rocky Mount the State Board of Charities and Public Welfare and its Commissioner are authorized in their discretion to designate the said city as a local welfare unit or district, embracing the territory within the City of Rocky Mount, and to administer to the needy in the said territory through an officer qualified by character, fitness and experience to be appointed by the City Manager of the City of Rocky Mount subject to the approval of the State Board and to be known as the City Welfare Officer of the City of Rocky Mount, who shall perform all the duties and functions which are now by law conferred on County Superintendents of Welfare, within the city limits of the City of Rocky Mount.

Creation of welfare district embracing City of Rocky Mount, authorized.

Appointment of Welfare Officer.

Duties.

Conflicting laws repealed.

SEC. 2. All laws or clauses of laws in conflict herewith are hereby repealed.

SEC. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D., 1937.

S. B. 275

CHAPTER 539

AN ACT TO PROHIBIT THE SALE, POSSESSION AND MANUFACTURE OF ALCOHOLIC LIQUOR WITHIN TWO MILES OF THE CHURCH OF THE RESURRECTION IN LITTLE SWITZERLAND, NORTH CAROLINA.

Whereas, the Village of Little Switzerland, in the Counties of Mitchell and McDowell, North Carolina, is unincorporated and has no police protection except what the counties furnish; "Camp-As-You-Like-It" has an average of seventy-five to one hundred girls each summer who come from all over the nation; the Switzerland Inn has an average of some seventy-five to one

Preamble: Village of Little Switzerland, in Mitchell and McDowell Counties, without special police protection.

hundred tourists per day and the Swiss Chalet and other boarding houses and occupants of cottages and permanent residents comprise in all in the summer more than five hundred people, with no police protection: *Now, Therefore,*

The General Assembly of North Carolina do enact:

Manufacture and possession of beer, wine, etc. within 2 miles of Church of the Resurrection in Little Switzerland, prohibited.

SECTION 1. That from and after April first, one thousand nine hundred and thirty-seven, it shall be unlawful for any person, firm or corporation within two miles of the Church of the Resurrection in Little Switzerland, Mitchell County, North Carolina, to manufacture or have in their possession any beer, lager beer, ale, porter or other brewed or fermented beverages, or wine. The two miles limit takes in no incorporated town, but is in the mountain section of the state.

Violation made misdemeanor.

SEC. 2. Any person, firm or corporation violating the provisions of this Act shall be guilty of a misdemeanor and shall be fined or imprisoned within the discretion of the court.

Conflicting laws repealed.

SEC. 3. All laws and clauses of laws in conflict herewith are hereby repealed.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D., 1937.

S. B. 292

CHAPTER 540

AN ACT TO PROHIBIT THE SALE OF BEER, WINE, OR OTHER ALCOHOLIC BEVERAGES OR LIQUORS, WITHIN ONE MILE OF THE CENTER OF THE VILLAGE OF AUTRYVILLE IN LITTLE COHARIE TOWNSHIP, SAMPSON COUNTY.

The General Assembly of North Carolina do enact:

Sale of intoxicating beverages within one mile of center of Village of Autryville, Sampson County, prohibited.

SECTION 1. That it shall be unlawful for any person, firm, or corporation to sell or offer for sale any wine, beer, or intoxicating liquor, by whatever name known, within one mile of the center of the Village of Autryville in Little Coharie Township, Sampson County. For the purposes of this Act the center of the Village of Autryville shall be the railroad depot.

Center of village designated.

Violation made misdemeanor.

SEC. 2. That all persons, firms, or corporations violating the provisions of this Act shall be guilty of a misdemeanor and fined or punished in the discretion of the court.

Conflicting laws repealed.

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 4. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D., 1937.

S. B. 294

CHAPTER 541

AN ACT TO PROHIBIT THE SALE OF BEER, WINE, AND OTHER ALCOHOLIC BEVERAGES OR LIQUORS WITHIN CERTAIN DISTANCES OF THE VILLAGE OF HARRELLS STORE, FRANKLIN TOWNSHIP, SAMPSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm, or corporation to sell or offer for sale any wine, beer, or intoxicating liquor, by whatever name known, within one mile of Franklin High School or Siloam Baptist Church in the Harrells Store Community, Franklin Township, Sampson County.

Sale of intoxicating beverages, within designated localities in Sampson County, prohibited.

SEC. 2. That all persons, firms, or corporations violating the provisions of this Act shall be guilty of a misdemeanor and fined or punished in the discretion of the court.

Violation made misdemeanor.

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 4. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D., 1937.

S. B. 352

CHAPTER 542

AN ACT RELATING TO THE SALE OF PROPERTY BY THE TOWN OF MAXTON.

The General Assembly of North Carolina do enact:

SECTION 1. That in those cases where the Town of Maxton has acquired property, either real or personal, as a result of tax foreclosures, paving assessment foreclosures, foreclosures under mortgages or deeds of trust securing indebtedness due the town or has otherwise acquired property in payment or settlement of taxes, assessment liens, or indebtedness due the town, said Town of Maxton through its Mayor or Board of Commissioners and in the discretion of said board is authorized and empowered to sell and convey such property or any part thereof publicly or privately with or without public advertisement to the party or parties owning the property immediately prior to the time when the town acquired same, or to his or their assigns, for the amount which the town has invested in such property, including taxes, paving assessments, money loaned on the property, costs of foreclosure and acquiring the property, amounts expended for improvements on the property, insurance on the property and plus interest on the investment of the town at the rate of six per cent (6%) per annum from the time of the investment, and in such cases, the Board of Commissioners of the Town of

Sales of property acquired by Town of Maxton through tax foreclosures, etc., authorized.

Sale price.

Terms of sales.

Maxton is authorized and empowered to sell such property for cash or upon terms of not less than ten per cent (10%) in cash at the time of the sale, the balance to be payable in installments over a period not exceeding twelve years and the balance to be secured by mortgage or deed of trust upon the property sold, the deferred payments to be represented by notes bearing interest at the rate of six per cent (6%) per annum from the time of the sale.

Sales heretofore made, validated.

SEC. 2. That all sales and all conveyances of property heretofore made by the Town of Maxton by authority of its Board of Commissioners and Mayor, whether made publicly or privately are hereby confirmed and validated.

Conflicting laws repealed.

SEC. 3. That all laws in conflict with this Act are hereby repealed.

SEC. 4. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D., 1937.

S. B. 364

CHAPTER 543

AN ACT TO PROVIDE FOR ELECTIONS IN INCORPORATED TOWNS IN HALIFAX COUNTY UNDER THE PROVISIONS OF THE ALCOHOLIC BEVERAGE CONTROL ACT.

The General Assembly of North Carolina do enact:

Elections on question of continuing liquor control stores in towns in Halifax County, authorized.

SECTION 1. That, upon petition of at least fifteen per centum of the registered voters who voted in the last election for Governor in any incorporated town in Halifax County in which there is at present located a liquor control store, the governing body of said town shall call an election with reference to discontinuing or continuing such store. The said election shall be held under the same provisions and regulations as provided in the Alcoholic Beverage Control Act, ratified February twenty-second, one thousand nine hundred and thirty-seven, with reference to the establishment of liquor control stores in the counties of the state.

Rules and regulations governing elections.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

Conflicting laws repealed.

S. B. 368

CHAPTER 544

AN ACT TO AMEND HOUSE BILL NUMBER TWO HUNDRED TWENTY RATIFIED FEBRUARY TWENTY-SECOND, ONE THOUSAND NINE HUNDRED THIRTY-SEVEN, SAME BEING "AN ACT TO PROHIBIT THE MANUFACTURE AND SALE OF BEER AND WINE WITHIN TWO AND ONE-HALF MILES OF THE RAWLS BAPTIST CHURCH, CHALYBEATE SPRINGS BAPTIST CHURCH AND KIPLING METHODIST CHURCH IN HECTOR'S CREEK TOWNSHIP, HARNETT COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That section one of House Bill number two hundred twenty, ratified on the twenty-second day of February, one thousand nine hundred thirty-seven, be amended by striking out in line eight of said section after the word "within" and before the word "one-half" the words "two and."

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. No. 220,
Ch. 102, Public-
Local Laws, 1937,
amended, redefining
prohibited territory
for manufacture and
sale of beer and
wine, Harnett
County.

Conflicting laws
repealed.

S. B. 448

CHAPTER 545

AN ACT TO AUTHORIZE A DIVISION OF PROCEEDS IN LIQUOR STORES IN BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. If, and when, an election is held in Buncombe County to determine the question of whether or not liquor stores shall be run in Buncombe County according to the now existing law, in event it shall be declared to be the policy of said Buncombe County to open and run said liquor stores it shall be lawful for the Chairman of the Board of County Commissioners of Buncombe County and the City Manager of the City of Asheville to arrive at what shall to them appear a fair division of the proceeds derived from said liquor store, or stores, between the general funds of the County of Buncombe and the City of Asheville. In no event shall the City of Asheville receive less than forty (40%) per cent of the net proceeds from any store operated within the corporate limits of the City of Asheville.

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

Division of profits
from liquor stores
operated in Buncombe
County between
Asheville and County.

Minimum of 40%
to Asheville.

H. B. 1103

CHAPTER 546

AN ACT AUTHORIZING AND EMPOWERING THE BOARD
OF COMMISSIONERS OF BLADENBORO TO APPOINT
A TAX COLLECTOR FOR SAID TOWN AND TO FIX
HIS COMPENSATION.

The General Assembly of North Carolina do enact:

Appointment of Tax
Collector for Town
of Bladenboro.

Compensation.

Combination with
another office
authorized.

Limitation of
compensation.

Reports and
accountings.

Bond.

Payment of premium.

Conflicting laws
repealed.

SECTION 1. That the Board of Commissioners of the Town of Bladenboro is hereby authorized and empowered to appoint a tax collector for said town and to fix the compensation of said tax collector, subject to the provisions hereinafter appearing.

SEC. 2. That the office of tax collector for said town may be combined with any other office within the authority and power of the Board of Commissioners of said town to fill.

SEC. 3. That the compensation of said tax collector for said town for any fiscal year shall not exceed five per cent of the total amount of taxes due said town for the years one thousand nine hundred thirty-four and prior thereto, plus five per cent of the total amount of street and/or sidewalk paving assessments due said town, plus three per cent of the total amount of taxes due said town for the years one thousand nine hundred thirty-five and subsequent thereto, which are actually collected and accounted for during said fiscal year.

SEC. 4. That said Board of Commissioners of said town may require said tax collector to make monthly reports and monthly accountings of the taxes and assessments collected by him.

SEC. 5. That said Board of Commissioners of said town may require said tax collector to give a bond in an amount and in terms satisfactory to itself, and shall pay the premium therefor if a bond in some surety company is required.

SEC. 6. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 7. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1105

CHAPTER 547

AN ACT TO ENLARGE AND DEFINE THE CORPORATE
LIMITS OF THE TOWN OF BLADENBORO.

The General Assembly of North Carolina do enact:

Ch. 66, Private
Laws, 1903,
amended.

Corporate limits of
Town of Bladenboro
re-defined.

SECTION 1. That section two of chapter sixty-six, Private Laws of one thousand nine hundred and three, be and the same is hereby amended by striking out all of the provisions of said section and inserting in lieu thereof the following: "The corporate limits of the said town shall be as follows: Beginning at the run of Bryant's Swamp exactly opposite the Dick Ivey house

on the Seaboard Air Line Railroad, and runs thence a direct line to the southeast corner of said Dick Ivey house; thence a direct line to the southeast corner of the Bladenboro High School building; thence a direct line to the southeast corner of Henry C. Bridger's farm opposite said school grounds; thence with said Henry C. Bridger's farm on the south side of his field to the run of Bryant's Swamp; thence up the run of Bryant's Swamp to the beginning."

SEC. 2. That chapter one hundred sixteen, Private Laws of one thousand nine hundred and twenty-three, relating to the same subject matter, be and the same is hereby repealed.

Ch. 116, Private Laws, 1923, repealed.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1115

CHAPTER 548

AN ACT FOR THE ADOPTION OF STANDARD FORM OF CHATTEL MORTGAGE WITH NOTE IN COLUMBUS, BLADEN, BRUNSWICK, ROBESON AND DUPLIN COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That a standard form of chattel mortgage with note in Columbus, Bladen, Brunswick, Robeson and Duplin Counties shall be as follows:

Standard form of chattel mortgage in Columbus, Bladen, Brunswick, Robeson and Duplin Counties.
Declaration of debt.

"..... of the County of, in the State of North Carolina, indebted to of county in said State, in the sum of DOLLARS, for which hold note to be due the day of, A.D., 19....., and to secure the payment of the same, do hereby convey to these articles of personal property, to-wit:

Security.

All of the above described property is represented by the undersigned to be in possession and free from any encumbrances whatsoever.

Warranty.

..... (SEAL)
BUT ON THIS SPECIAL TRUST, That if fail to pay said debt and interest on or before the day of, A.D., 19....., then may sell said property, or so much thereof as may be necessary, by public auction, for cash, first giving twenty days notice at three public places, and apply the proceeds of such sale to the discharge of

Power of sale.

said debt and interest on the same, and pay any surplus to.....
.....*

Given under hand..... and seal....., this
day of, A.D. 19......

..... (SEAL)
WITNESS:..... (SEAL)
.....

\$....., N. C.,, 19.....

Note.

On or before the day of, 19.....,
with interest from date at the rate of six per cent per annum,
..... promise to pay to the order of
the sum of DOLLARS, for value
received, and secured by chattel mortgage of even date with this
note.

Witness my/our hand..... and seal..... the year and date
above written.

..... (SEAL)
..... (SEAL)

WITNESS:.....

.....
NORTH CAROLINA, COUNTY.

Acknowledgment.

I,, do hereby certify that
..... and, his wife, per-
sonally appeared before me this day and acknowledged the due
execution of the annexed conveyance; and the said.....,
being by me privately examined, separate and apart from her
said husband, touching her voluntary execution of the same,
doth state that she signed the same freely and voluntarily,
without fear or compulsion of her said husband or any other
person, and that she does still voluntarily assent thereto. Let
the same with this certificate be registered.

Witness my hand and seal, this day of
....., 19......

..... (SEAL)

The above form is to be used only when a mortgage includes
household and kitchen furniture.

Probate.

.....
NORTH CAROLINA, COUNTY.

The execution of the foregoing instrument was this day.....
..... before me by
Let the same, with this certificate, be registered.

Witness my hand..... this..... day of....., 19.....
..... (SEAL)
..... (SEAL)

.....
NORTH CAROLINA, COUNTY.

The foregoing certificate of of
County, is adjudged to be correct. Let the instrument with the
certificate be registered.

Witness my hand and official seal, this day of
, 19.....

.....”
 Clerk Superior Court.

Provided, that this shall not be construed to invalidate chattel mortgages in the forms other than the forms set out herein.

Mortgages in other forms not invalidated.

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1118

CHAPTER 549

AN ACT TO ALLOW THE TOWN OF ELLERBE TO ACCEPT ITS BONDS IN PAYMENT OF PAST DUE TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. That if any person, firm or corporation, is due the Town of Ellerbe any taxes for any year or years prior to the year one thousand nine hundred and thirty-six, and is the holder or becomes the holder of any of the bonds of the Town of Ellerbe, it shall be lawful for such person, firm or corporation to pay such past due taxes with said bond or bonds at their par value, and may, within the discretion of the Commissioners of the Town of Ellerbe be accepted by them in payment of such taxes, *provided*, that in no case shall the Town of Ellerbe be liable to such person, firm or corporation for the difference between the taxes due by such person, firm or corporation and the par value or other value of such bonds: *Provided, further*, that if an action has already been commenced to enforce collection of said taxes, such person, firm or corporation shall first pay the costs thereof before being entitled to the provisions of this Act.

Commissioners, Town of Ellerbe, authorized to accept town's bonds in payment of delinquent taxes.

Town not liable for difference between amount of taxes and par value of bonds.

Payment of costs of tax suit.

SEC. 2. That where any two or more persons, firms or corporations are, or may become, the joint holders of any of the bonds of the Town of Ellerbe, it shall be lawful for said holders of such bonds to tender the same to the Town of Ellerbe as pro rata payment of their respective taxes as hereinbefore set forth and as their respective interest in said bond or bonds may appear, and the Town of Ellerbe may, within the discretion of the Town Commissioners, accept the same as payment thereof to the par value of said bonds.

Payment of taxes by joint holders of bonds.

SEC. 3. That no bonds shall be accepted as herein provided unless and until the Board of Town Commissioners of the Town of Ellerbe shall have decided in a duly called meeting for this purpose that said method of collecting or adjusting taxes and assessments is for the best interest of the Town of Ellerbe, and that it will permit collection in full of taxes of otherwise doubtful value.

Acceptance of bonds for taxes in discretion of Town Board.

Conflicting laws
repealed.

SEC. 4. That all laws and clauses of laws in conflict herewith be and the same are hereby repealed.

Duration of effect of
Act.

SEC. 5. That this Act shall be and remain in full force and effect from and after its ratification and until May first, one thousand nine hundred and thirty-eight.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1117

CHAPTER 550

AN ACT TO AMEND CHAPTER ONE HUNDRED AND NINETY-SEVEN, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-ONE RELATING TO THE RECORDER'S COURT OF WAKE FOREST.

The General Assembly of North Carolina do enact:

Ch. 197, Public-
Local Laws, 1931,
amended.

SECTION 1. That chapter one hundred and ninety-seven of the Public-Local Laws of one thousand nine hundred and thirty-one be and the same is hereby amended to read as follows:

Qualifications and
election of Recorder,
Vice-Recorder, Pros-
ecuting Attorney of
Wake Forest Re-
corder's Court.

SEC. 2. That the Recorder, Vice-Recorder and Prosecuting Attorney of the Wake Forest Recorder's Court, at Wake Forest, Wake County, North Carolina, shall be residents and qualified voters of the territory embraced within the territorial jurisdiction of said court, and shall be elected by the qualified voters of such territory, which territorial jurisdiction shall extend throughout Wake Forest Township and New Light Township of said County of Wake, at elections to be held in the Town of Wake Forest at the same time and in the same manner that the election of municipal officers of the Town of Wake Forest are held.

Time and manner of
holding elections.

Salary of Recorder.

SEC. 3. That the salary of the Recorder shall not be fixed at less than six hundred dollars (\$600.00) per annum, nor more than nine hundred dollars (\$900.00) per annum; that the salary of the Prosecuting Attorney shall not be fixed at less than six hundred dollars (\$600.00) per annum, nor more than nine hundred dollars (\$900.00) per annum, each of said salaries payable monthly by the Municipality of Wake Forest. That the Treasurer of the Town of Wake Forest shall be ex-officio Clerk of the Recorder's Court of Wake Forest and may be paid not

Salary of Prosecuting
Attorney.

Town Treasurer
made ex-officio Clerk.

Compensation.

Appointment of
deputy clerk
authorized.

Duties.

Salary.

to exceed fifty dollars (\$50.00) per month for his services as said clerk in addition to any compensation he may receive as Treasurer of said town. The Commissioners of the Town of Wake Forest shall at any time have authority to provide for the appointment by the clerk of a deputy clerk who shall have the power to discharge all the duties of the said clerk, and shall be paid such salary as the Board of Commissioners shall provide.

SEC. 4. That the jurisdiction of Wake Forest Recorder's Court shall extend throughout the territory embraced within Wake Forest Township and New Light Township of said Wake County.

Territorial jurisdiction of Court.

SEC. 5. That the following shall constitute the fee bill of said Wake Forest Recorder's Court, to-wit:

Fees of Wake Forest Recorder's Court.

<i>Recorder</i>	
Trial	\$2.00
<i>Clerk</i>	
Warrant and affidavit .....	.75
Judgment, each	1.00
Bond, each .....	.60
Continuance, each .....	.25
Docketing judgment .....	.25
Filing papers .....	.10
Indexing judgments, each .....	.10
Appeal, each .....	.25
Bill of costs, each .....	.25
Commitment, each .....	.20
Judgment Nisi, each .....	.25
Recognizance .....	.25
Seal .....	.25
Subpoena, each .....	.15
Capias, each .....	.50
Highway Commission report .....	.50
Prosecuting Attorney	3.00
<i>Officers</i>	
Arrest	1.50
Subpoenas, each .....	.50
Capias, each	1.50
Jail	1.00
Meals .....	.50
Pension Fund	1.00

SEC. 6. That six jurors shall constitute a jury in the said court to be selected from a panel of twelve, that each of said jurors summoned to serve shall be paid the sum of one dollar (\$1.00) per day. That there shall be allowed a fee to the officer serving the jury summons the sum of fifty cents (\$.50) for each summons.

Selection of Jurors.

Compensation.

Officer's fee.

SEC. 7. That in all cases where there is an appeal from a Justice of the Peace of an offense arising in Wake Forest Township or New Light Township, such appeal shall be first heard in the Recorder's Court of the Town of Wake Forest in the manner provided for hearing causes within the jurisdiction of a Justice of the Peace originating in the Recorder's Court.

Appeals from Justices of the Peace involving offenses arising in New Light and Wake Forest Townships.

SEC. 8. That the police officers of the said Town of Wake Forest shall within the corporate limits thereof and also within Wake Forest Township and New Light Township, Wake County, have and exercise all the authority, rights and powers which are now or may hereafter be conferred by law on constables,

Authority of police officers of Town of Wake Forest.

Bond required.

Condition.

Registration and
filing of bond.

Certified copies of
bond competent in
evidence.

Payment of registra-
tion fees.

Conduct of elections.

Registration.

Conflicting laws
repealed.

provided, however, that the Board of Commissioners of the Town of Wake Forest shall require of each police officer elected or appointed, on entering upon the duties of his office, to give a bond with good surety, payable to the State of North Carolina, in a sum not exceeding one thousand dollars (\$1,000.00), conditioned as well for the faithful discharge of his duty as police officer as for his diligently endeavoring to collect all claims put into his hands for collection and faithfully paying over all sums thereon received, either with or without suit, unto the persons to whom the same may be due. Said bond shall be duly proved and registered and after registration filed in the office of the Register of Deeds of Wake County; and certified copies of the same from the Register's office shall be received and read in evidence in all actions and proceedings where the original might be. The fees for proving and registering the bond of the police officer shall be paid by the Town of Wake Forest.

SEC. 9. That the election of the officers of the Wake Forest Recorder's Court as provided under this Act shall be governed and controlled by the laws in force controlling and governing the general election of the municipal officers of the Town of Wake Forest, Wake County, North Carolina, and the person or persons who are in charge of and responsible for the conducting of the municipal election in the Town of Wake Forest shall be responsible for the election of the officers of the Wake Forest Recorder's Court as provided by this Act, and shall appoint the necessary Registrars and order a registration of the qualified voters of Wake Forest Township and New Light Township of said Wake County forthwith and prior to the next primary and election in the municipality of Wake Forest.

SEC. 10. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 11. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1121

CHAPTER 551

AN ACT AUTHORIZING A SPECIAL SCHOOL TAX ELECTION IN THE VALDESE PUBLIC SCHOOL DISTRICT IN BURKE COUNTY.

The General Assembly of North Carolina do enact:

Petition for local
tax election, Val-
de-se school district,
Burke County,
authorized.

SECTION 1. That the citizens of the duly created Valdese school district in Burke County are hereby authorized to petition for a local tax election for schools as follows: A written petition signed by twenty-five per cent of the qualified voters who have resided at least twelve months within the district, shall be presented to the County Board of Education ask-

ing for an election in the district to ascertain whether there shall be levied in said district a local annual tax not to exceed twenty cents on the one hundred dollars valuation of all property, real and personal, to supplement the funds for the eight months public school term for that district or for the cost of the ninth month.

SEC. 2. That the County Board of Education shall receive the petition and give it due consideration. If the board shall approve the petition for an election, it shall be endorsed by the chairman and secretary of the board and a record of the endorsement shall be made in the minutes of the Board of Education. The petition shall then be presented to the Board of County Commissioners and it shall be the duty of the Board of County Commissioners to call an election and fix the date for the same; *provided*, that the County Board of Education may, for any good and sufficient reason, withdraw the petition before the close of the registration books, and if the petition be so withdrawn, the election shall not be held.

SEC. 3. That in the election held under this Act, the Board of County Commissioners shall designate the polling place or places, appoint the registrars and judges, and canvass and judicially determine the results of said election when the returns have been filed with them by the officers holding the election, and shall record such determination on their records. The notice of the election shall be given by publication at least three times in some newspaper published or circulating in the territory. It shall set forth the boundary lines of the district, the maximum rate of tax to be levied, which shall not exceed twenty cents on the one hundred dollars valuation of property, real and personal, and the purpose of the tax. The first publication shall be at least thirty days before the election. A new registration of the qualified voters of the territory shall be ordered, and notice of said new registration shall be deemed to be sufficiently given by publication once in some newspaper published or circulating in said district at least thirty days before the close of the registration books. This notice of registration may be considered one of the three notices required of the election. Such published notice of registration shall state the days on which the books will be open for registration of voters and the place or places on which they will be open on Saturdays. The books of such new registration shall close on the second Saturday before the election. The Saturday before the election shall be challenge day and except as otherwise provided in this Act such election shall be held in accordance with the law governing general elections. At the election those who are in favor of the levy and collection of taxes shall vote a ticket on which shall be printed or written the words "For local tax," and those who oppose shall vote a ticket on which shall be printed or written the words "Against local tax." All other details of said election shall be fixed by the board ordering the election, and

Purpose of election.

Petition presented to and considered by Board of Education.

Upon approval by Board, duty of Commissioners to call election.

Right of Board of Education to withdraw petition.

Conduct of election.

Notice.

Contents of notice.

New registration.

Notice.

Contents of notice.

Closing of books.

Challenge day.

Manner of holding election.

Form of ballot.

Other details.

Provision for expenses.

the expenses of holding or conducting the election in the district shall be provided by the County Board of Education out of the fund of the county.

If election carries, special school tax levied and collected annually.

SEC. 4. In case a majority of the qualified voters in the district or territory referred to above shall vote at the election in favor of the tax, it shall be annually levied and collected in the manner prescribed for the levy and collection of other taxes, and the maximum rate so voted shall be levied, unless the County Board of Education or Board of Trustees shall request a levy at a lower rate, in which event the rate requested shall be levied and collected; and the County Superintendent of Schools and the officer in charge of county tax records shall keep records in their respective offices, showing the valuation of the property, real and personal, in the district, the rate of tax authorized annually to be levied, and the amount annually derived from the local tax, and it shall be illegal for any part of the local tax funds to be used for any other purpose than to supplement the funds for an eight months school term in the district, or to operate the school the ninth month.

Records kept showing valuations, rate, etc.

Diversion of tax funds illegal.

If election fails, another election authorized after six months.

SEC. 5. That in the event that a majority of the qualified voters of a district do not at the election cast their votes for the local tax, another election or elections under the provisions of this article may be held after the lapse of six months in the same district.

Election on question of revoking tax and abolishing district, authorized.

SEC. 6. That upon petition of one-half of the qualified voters residing in the local tax districts established under this article, the same shall be endorsed and approved by the County Board of Education and the Board of County Commissioners shall order another election in the district for submitting the question of revoking the tax and abolishing the district, to be held under the provisions prescribed in this Act for holding other elections. It shall be the duty of the Board of Education to endorse the petition when presented containing the proper number of names of qualified voters, and this provision is made mandatory, and the board is allowed no discretion to refuse to endorse the same when so presented. If at the election a majority of the qualified voters in the district shall vote "Against local tax," the tax shall be deemed revoked and shall not be levied, and the district shall be discontinued.

Mandatory on Board of Education to endorse petition containing proper number of names.

Tax revoked and district abolished if majority votes "Against local tax."

Abolition not authorized if district in debt.

SEC. 7. That the provisions of this article as to abolishing this local tax district shall not apply if this local tax district is in debt in any sum whatever.

Limitation as to time of election for revoking tax.

SEC. 8. That no election for revoking a local tax in this local tax district shall be ordered and held in the district within less than one year from the date of the election at which the tax was voted and the district established, nor at any time within less than one year after the date of the last election on the question of revoking the tax in the district; and no petition revoking such tax shall be approved by the County Board of

Education oftener than once a year: *Provided*, this section shall not apply to any indirect abolition or reduction of taxes as may elsewhere be provided.

Section inapplicable to indirect abolition or reduction of taxes.

SEC. 9. That the funds to supplement state school funds, as permitted under the above conditions, shall be filed with the County Commissioners in Burke County, on or before the fifteenth day of June, on forms provided by the State School Commission. The tax levying authorities may approve or disapprove this supplemental budget in whole or in part, and upon the approval being given, the same shall be submitted to the State School Commission, which shall have the authority to approve or disapprove any object or item contained therein. In the event of approval, by the State School Commission, the same shall be shown in detail upon the minutes of said tax levying body, and a special levy shall be made therefor, and the tax receipt shall show upon the face thereof the purpose of said levy.

Supplemental budget submitted to Burke County Commissioners for approval or disapproval.

Submission to State School Commission, if approved.

Upon approval, budget spread on minutes of Commissioners.

Special tax levied.

SEC. 10. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 11. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 214

CHAPTER 552

AN ACT TO PROHIBIT THE SALE OF BEER OR OTHER INTOXICATING BEVERAGES ON OCRACOCKE ISLAND, HYDE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. The Board of Commissioners of Hyde County may, upon finding by them that it is advisable, because of lack of police protection on the Island of Ocracoke, to decline the issue of license and the sale of beer or wine on said island.

Commissioners, Hyde County, authorized to prohibit sale of beer or wine on Island of Ocracoke.

SEC. 2. This Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified this the 22nd day of March, A.D. 1937.

H. B. 605

CHAPTER 553

AN ACT TO PERMIT COUNTY COMMISSIONERS TO FIX THE SALARY OF THE SHERIFF OF CARTERET COUNTY.

Whereas, there was enacted by the General Assembly of one thousand nine hundred and thirty-five an Act fixing the salaries of various elective officials of Carteret County; and

Preamble: Act of General Assembly, 1935, fixing salaries of Carteret County officials.

Salary of sheriff.

Whereas, in fixing said salaries, the salary of the office of sheriff was fixed at two thousand (\$2,000) dollars and fees; and

Sheriff's car expense not taken into consideration.

Whereas, it appears that in arriving at this salary, the item of car expense by the sheriff was not taken into consideration; *Now, Therefore*,

The General Assembly of North Carolina do enact:

Salary of Sheriff, Carteret County, increased.

SECTION 1. That the salary of the Sheriff of Carteret County from and after January first, one thousand nine hundred and thirty-seven shall be fixed at two thousand three hundred (\$2,300) dollars per annum plus fees as heretofore.

Conflicting laws repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 685

CHAPTER 554

AN ACT TO ALLOW THE PUBLIC WORKS COMMISSION OF THE CITY OF FAYETTEVILLE TO EXTEND ITS POWER LINES ANYWHERE IN CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

Extension of power lines and sale of electricity by Fayetteville Public Works Commission.

SECTION 1. That the Public Works Commission of the City of Fayetteville, North Carolina, is hereby authorized and empowered to extend its power lines for conveyance of electricity anywhere in Cumberland County and to sell electricity anywhere in Cumberland County.

Conflicting laws repealed.

SEC. 2. That all laws and clauses of laws in conflict with and contrary to this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 718

CHAPTER 555

AN ACT TO REPEAL CHAPTER FOUR HUNDRED SIXTY-EIGHT OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-FIVE, ENTITLED "AN ACT TO REGULATE THE FEES OF THE VARIOUS JUSTICES OF THE PEACE OF ROCKINGHAM COUNTY."

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred sixty-eight of the Public-Local Laws of one thousand nine hundred thirty-five, en-

titled "An Act to regulate the fees of the various Justices of the Peace of Rockingham County," be, and the same is hereby repealed.

Ch. 468, Public-Local Laws, 1935, regulating fees of Justices of Peace, Rockingham County, repealed.

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 808

CHAPTER 556

AN ACT TO PROVIDE FOR THE ELECTION OF THE COUNTY ACCOUNTANT OF FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That at the next Regular Election to be held for members of the General Assembly, there shall be elected a County Accountant for Franklin County, who shall be chosen for a term of two years, or until his successor has been elected and qualified.

Election of County Accountant, Franklin County.

Term.

SEC. 2. The county accountant, who shall be elected under the provisions of this Act, shall begin his term of office at the time now prescribed under the provisions of the General Law relative to county accountants, and shall receive a salary of twenty-four hundred dollars (\$2,400.00) per year, payable monthly, from the general fund of Franklin County.

Commencement of term.

Salary.

SEC. 3. All laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 4. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 814

CHAPTER 557

AN ACT TO VALIDATE THE OFFICIAL ACTS PERFORMED BY WADE C. MOODY, JUSTICE OF THE PEACE OF MOUNT AIRY TOWNSHIP, SURRY COUNTY, NORTH CAROLINA.

Whereas, Wade C. Moody, Justice of the Peace of Mount Airy Township, Surry County, North Carolina, whose term of office expired April first, one thousand nine hundred and thirty-six, continued to perform the acts of his office: *Now, Therefore*,

Preamble: Acts performed by Wade C. Moody as J. P. after expiration of term.

The General Assembly of North Carolina do enact:

SECTION 1. That all probates and acknowledgments to deeds, deeds of trust, mortgages or other instruments in writing required or permitted by law to be registered, taken before and by Wade C. Moody, a Justice of the Peace of Surry County after his commission had expired, be and the same are hereby validated.

Probates and acknowledgments of written instruments, validated.

Pending litigation
not affected.
Conflicting laws
repealed.

SEC. 2. This Act shall not affect litigation pending.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 827

CHAPTER 558

AN ACT TO REGULATE THE SALARY OF SHERIFF AND DEPUTY SHERIFF AND COMPENSATION FOR CLERICAL ASSISTANCE IN OFFICES OF REGISTER OF DEEDS AND CLERK OF SUPERIOR COURT AND PAY OF JURORS IN McDOWELL COUNTY.

The General Assembly of North Carolina do enact:

Additional compen-
sation for Sheriff,
McDowell County.

SECTION 1. That the Board of County Commissioners of McDowell County are hereby authorized and directed to pay to the sheriff of said county out of the general county funds compensation at the rate of fifty dollars (\$50.00) per month, payable monthly, from the first Monday in December, one thousand nine hundred thirty-seven, which shall be in addition to fees, commissions and compensation otherwise provided by law in relation to the duties and functions of the said office of sheriff and tax collector.

Sec. 2, Ch. 499,
Public-Local Laws,
1933, amended.

SEC. 2. That section two of chapter four hundred ninety-nine of the Public-Local Laws of one thousand nine hundred thirty-three, be, and the same is hereby amended by striking out all that portion thereof after the words, "*Provided, however,*" appearing in line six and before the words, "*and provided, further,*" appearing in lines twelve and thirteen, and inserting in lieu thereof the following: "The Board of County Commissioners of said county shall have authority and it shall be its duty to grant and provide for clerical assistance to the Register of Deeds of said county in the execution of the duties imposed upon him by law and to pay such assistant an amount to be by said board fixed in its discretion not to exceed the sum of seventy-five dollars (\$75.00) per month, payable monthly out of the general county fund."

Clerical assistance
to register of Deeds,
provided for.

Salary of assistant.

Sec. 4, Ch. 499,
Public-Local Laws,
1933, amended.

SEC. 3. That section four of chapter four hundred ninety-nine of the Public-Local Laws of one thousand nine hundred thirty-three, be, and the same is hereby amended by striking out all of said section after the word, "*Provided,*" appearing in line six and inserting in lieu thereof the following: "The Board of County Commissioners for said county shall have the authority and it shall be its duty to grant and provide for clerical assistance to the Clerk of the Superior Court of said county in the execution of the duties imposed upon him by law and to

Clerical assistance
to Clerk of Superior
Court provided for.

pay to such assistant an amount to be by said board fixed in its discretion not to exceed the sum of seventy-five dollars (\$75.00) per month, payable monthly out of the general county fund."

SEC. 4. The County Commissioners are empowered, ordered, and directed to pay from the general funds of the county the sum of fifty dollars (\$50.00) per month for a chief deputy sheriff who shall be designated and chosen by the Sheriff of McDowell County.

SEC. 5. That all jurors summoned to serve in the Superior Court of McDowell County shall receive as their only compensation for services the sum of three dollars (\$3.00) per day and mileage at the rate of five cents (.05) per mile in coming to the county seat and returning home. This section shall be effective from and after the first day of July, one thousand nine hundred thirty-seven.

SEC. 6. That nothing in this Act shall have the effect of depriving either the Register of Deeds or the Clerk of the Superior Court of said county of the right to select the assistant in their respective offices.

SEC. 7. That all laws and clauses of laws providing other compensation for assistance to the Register of Deeds or to the Clerk of the Superior Court of said county and any and all laws or clauses of laws in conflict with this Act are hereby repealed.

SEC. 8. That this Act except as otherwise herein provided, shall be effective on and after the first day of April, one thousand nine hundred thirty-seven.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

Salary of assistant.

Chief deputy sheriff provided for.

Salary.

Compensation of jurors serving in Superior Court.

Mileage allowance.

Effective date of section.

Selection of assistants for Register's and Clerk's offices.

Conflicting laws repealed.

Effective date of Act.

H. B. 836

CHAPTER 559

AN ACT TO AUTHORIZE THE GOVERNING BODY OF THE CITY OF CHARLOTTE TO APPOINT AN AIRPORT COMMISSION FOR THE PURPOSE OF OPERATING THE MUNICIPAL AIRPORT WITH ALTERNATIVE PROVISIONS, AUTHORIZING THE CITY TO LEASE THE SAID AIRPORT OR TO OPERATE THE AIRPORT DIRECTLY BY THE GOVERNING BODY OF THE CITY.

The General Assembly of North Carolina do enact:

SECTION 1. The governing body of the City of Charlotte is hereby authorized, any time after the ratification of this Act, to appoint an airport commission to be composed of a chairman and two members to be selected from the citizens of Charlotte for the purpose of operating the municipal airport, which commission, when so appointed, is authorized to appoint a manager of said airport to serve at the will of the commission and fix his compensation to be paid from the proceeds derived from the operation of said airport.

Appointment of airport commission, City of Charlotte.

Membership.

Purpose.

Appointment of airport manager.

Tenure.

Salary.

Employment of
assistants to
Manager.

Compensation.

Terms of Commis-
sioners.

Vacancy appoint-
ments.

No compensation.

City Clerk made
Secretary to Com-
mission.

Duties.

Meetings of Com-
mission.

Adoption of rules
and regulations for
operation of airport.

Establishment and
collection of fees,
etc.

Conflicts with State
laws and Federal
Government rules,
prohibited.

Enforcement of rules
and regulations.

Charlotte police
officers assigned to
duty at airport.

Use of Charlotte
police and fire de-
partments authorized,
when necessary.

Suitable office space
for manager.

Manager or assistant
on duty day and
night.

SEC. 2. The said manager when so appointed shall have authority, subject to the approval of the said airport commission, to employ such assistants and other employees as may be necessary for the proper maintenance and operation of said airport, and the compensation to be paid such assistants and employees shall be approved by said airport commission.

SEC. 3. The said commissioners so appointed by the governing body of the City of Charlotte shall be so appointed and designated so that the term of one commissioner shall expire one year from date of appointment; the term of another commissioner shall expire two years from date of appointment and the term of the third commissioner shall expire three years from date of appointment, and the council may fill the office of any commissioner made vacant by death, resignation or any refusal to serve and perform the duties of said office, and the said commissioners shall serve without pay.

SEC. 4. The said commission when so appointed shall meet and the city clerk of the City of Charlotte is hereby designated as secretary to said commission and the said clerk shall attend all meetings of said commission and keep an accurate record of all proceedings in a book to be supplied by said commission, and the said commission is authorized to hold its meetings, if it so desires, in the room in the city hall designated as the civil service commission office.

SEC. 5. That the said commission when so appointed, after selecting a manager, shall meet and make all such reasonable rules and regulations as it deems necessary for the proper maintenance and operation of said airport—provide penalties for the violation of such rules and regulations, establish and collect a schedule of fees, tolls and charges from those using said airport and its facilities: *Provided*, said rules and regulations and schedule of fees be not in conflict with the laws of the State of North Carolina and the rules and regulations of the Department of Air Commerce of the Federal Government. And it shall be the duty of said manager of said airport to carry out and enforce all lawful rules and regulations of the said commission and to this end, the governing body of the City of Charlotte is authorized to appoint a police officer or officers to be on duty at said airport at all times during the day and night to enforce said rules and regulations under the direction of the said manager and the City of Charlotte and the Charlotte Civil Service Commission is authorized and empowered to use the police and fire departments of the City of Charlotte or as many members and equipment as it deems necessary in case of fire or any other emergency or for any air show or celebrations.

SEC. 6. The said commission shall provide the said manager with reasonable and suitable office space in the administration building on said airport and provide that the said manager or his assistant shall be on duty at said office at all times during the day and night.

SEC. 7. The commission by and with the approval of the governing body of the City of Charlotte is authorized and empowered to make all contracts with third parties for concession privileges and the use of the airport and its facilities and said contracts shall be signed in the name of "The Airport Commission of the City of Charlotte, by its Chairman, and the City of Charlotte, by its Mayor."

Contracts for concession privileges and use of airport, authorized.

SEC. 8. All proceeds derived from the operation of the said airport from any source shall be collected by the manager or his assistant and shall be deposited daily with the treasurer of the City of Charlotte who is hereby designated as treasurer of said airport funds which said funds shall be kept in a separate account by said treasurer in a fund to be known as "Airport Fund." Said fund shall be disbursed by checks signed by the city treasurer, the chairman of the airport commission and the mayor of the City of Charlotte upon orders or vouchers approved by the chairman of said commission, the mayor of the City of Charlotte and the city manager. The said manager of said airport and one assistant shall furnish a bond in a surety company approved by the city council in a sum not less than ten thousand dollars (\$10,000.00), the condition of which will be to guarantee the accounting for all funds collected by them from the operation of said airport.

Deposit of airport funds received, with treasurer of City of Charlotte.

"Airport Fund."

Disbursements.

Bond required of manager and assistant.

Condition of bond.

SEC. 9. That in lieu of appointing the airport commission as herein provided for, the governing body of the City of Charlotte is authorized to lease the said airport to some person or corporation upon terms and conditions which said governing body may deem for the best interest of said airport and the City of Charlotte or in lieu of either of these methods of operation, the governing body of said city is hereby authorized to operate said airport itself by the appointment of a manager and assistants and if it selects this last method of operation of said airport, the said governing body of said city is authorized to promulgate and establish such rules and regulations as it seems wise not in conflict with the laws of the state and of the Department of Air Commerce of the Federal Government.

City of Charlotte authorized to lease airport.

Governing body of City authorized to operate airport.

Rules and regulations.

SEC. 10. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 11. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 840

CHAPTER 560

AN ACT TO PROTECT THE TROUT STREAMS IN MACON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That any person found unlawfully fishing in the waters of the Nantahala River, Sugar Fork, (Cullasaja) River

Unlawful fishing in certain streams in Macon County, made a misdemeanor.

Punishment.

Subsequent offenses.

Conflicting laws
repealed.

and/or its tributaries, from the mouth of Buck Creek up, in Macon County shall be guilty of a misdemeanor and upon conviction shall be fined not less than ten nor more than fifty dollars, or imprisoned not more than thirty days and for each and every subsequent offense shall be fined not less than twenty-five nor more than fifty dollars or imprisoned not more than thirty days.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 856

CHAPTER 561

AN ACT TO AMEND SENATE BILL NUMBER FIFTY-FIVE, RATIFIED ON THE FIFTEENTH DAY OF FEBRUARY, ONE THOUSAND NINE HUNDRED THIRTY-SEVEN.

The General Assembly of North Carolina do enact:

S. B. 55, Ch. 65,
Public-Local Laws,
1937, amended, to
clarify intention of
said statute.

SECTION 1. The second sentence of section one of Senate Bill number fifty-five, ratified on the fifteenth day of February, one thousand nine hundred thirty-seven, is hereby amended by inserting the word "and" between the word "authorize" and the word "the," which are the ninth and tenth words respectively of said sentence, and by inserting the words "is hereby authorized" between the word "Point" and the word "to," which are the fourteenth and fifteenth words respectively of said sentence, and by inserting a period after the word "bonds," which is the sixty-sixth word of said sentence, and striking out the remainder of the sentence.

SEC. 2. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 863

CHAPTER 562

AN ACT TO ABOLISH THE OFFICE OF COUNTY TREASURER OF YANCEY COUNTY.

The General Assembly of North Carolina do enact:

Office of Treasurer,
Yancey County,
abolished.

Treasurer's duties
assigned to
County Accountant.

SECTION 1. That the office of Treasurer of Yancey County be, and it is hereby abolished to take effect at the end of the term of office of the present incumbent. That thereafter, all the duties now performed by the Treasurer of Yancey County shall be performed by the County Accountant without additional compensation therefor.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act, subject to the limitations contained in section one, shall be in effect from and after its ratification.

Effective date.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 901

CHAPTER 563

AN ACT PROVIDING FOR THE MINUTES OF PETTY MISDEMEANORS TRIED IN THE GENERAL COUNTY COURT OF WILSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That in all criminal cases tried and disposed of in the General County Court of Wilson County in which the defendant is tried for an offense punishable by not more than a fine of fifty dollars or by imprisonment for not more than thirty days, the clerk of said court shall keep no other record of the trial of the case than the daily transfer from the clerk's docket of said case to a permanent transfer docket to be kept and maintained in his office as a part of the public records of Wilson County.

Records required in petty misdemeanor cases, General County Court, Wilson County.

SEC. 2. All laws and clauses of laws in conflict herewith are hereby repealed.

Conflicting laws repealed.

SEC. 3. This Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 923

CHAPTER 564

AN ACT TO FIX THE SALARY OF THE REGISTER OF DEEDS OF BURKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Register of Deeds of Burke County shall receive in lieu of the monthly salary he is now receiving, as full compensation for all services rendered as Register of Deeds of said county, all fees and commissions and emoluments of the office of Register of Deeds, which under the general law of the state he is entitled to receive.

Register of Deeds, Burke County, placed on Commission and fee basis.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after the first day of March, one thousand nine hundred and thirty-seven.

Effective date.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 946

CHAPTER 565

AN ACT TO PROVIDE FOR THE BETTER ENFORCEMENT
OF LAW AND ORDER AND FOR WELFARE AND SO-
CIAL SECURITY PURPOSES IN ALAMANCE COUNTY
AND THE INCORPORATED CITIES AND TOWNS LO-
CATED THEREIN.

The General Assembly of North Carolina do enact:

Division of net
profits from liquor
stores in towns
within Alamance,
between respective
towns and county.

Retention by County
of all profits from
stores outside towns.

Determination of
profits.

Use of profits re-
ceived by Alamance
County.

By towns.

Conflicting laws
repealed.

SECTION 1. In the event liquor stores are operated in Alamance County the treasurer of said county shall, at the end of each quarterly period after an accounting has been received by him from the County Board of Alcoholic Control, pay over to the treasurer of each incorporated city or town within the county fifty per cent of the net profit received by the county from the operation of a liquor store or stores within such incorporated city or town. The County of Alamance shall retain all profits derived from liquor stores operated outside of any incorporated city or town: *Provided*, that the division of net profits shall be made after charging the total of taxes required to be raised by Alamance County for social security purposes, (1) to the net profits derived from liquor stores outside of any incorporated city or town, and, (2) the deficit then, if any, to be charged to net profits derived from liquor stores operated within such incorporated cities and towns and prorated according to gross sales.

SEC. 2. Any profits received by Alamance County from the operation of liquor stores within said county may be used for law enforcement, welfare and social security purposes and any city or town in Alamance County receiving any portion of the profits derived from the operation of a liquor store or stores within its limits may use such profits or so much thereof as may be necessary for law enforcement purposes and for full cooperation with the County Board of Alcoholic Control in the enforcement of laws regulating the sale, transportation, use and handling of alcoholic beverages.

SEC. 3. That all laws and clauses of laws, Public, Public-Local and Private, in conflict with the provisions of this Act are hereby repealed.

SEC. 4. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 948

CHAPTER 566

AN ACT TO REGULATE THE DRAWING OF GRAND
JURIES IN ALAMANCE COUNTY.

The General Assembly of North Carolina do enact:

Selection of Grand
Jurors, Alamance
County.

SECTION 1. That at the first regular and not special term of court for the trial of criminal cases in Alamance County after

the first day of July one thousand nine hundred and thirty-seven, there shall be chosen nine Grand Jurors in the manner now provided by law for the drawing of Grand Jurors in open court, and said Grand Jurors so drawn shall serve for a term of one year, and thereafter at the first regular and not special term of court for the trial of criminal cases in Alamance County after the first day of January and the first day of July of each year, there shall be chosen nine Grand Jurors in the manner now provided by law for the drawing of Grand Jurors in open court, who shall serve for a term of one year.

Staggered terms.

SEC. 2. That the Judge presiding over any criminal or civil term of the Superior Court of said Alamance County may, at any time, discharge the Grand Jury in said county from further services, in which event he shall cause a new Grand Jury to be drawn at the term of court over which said judge is presiding. The said Grand Jury shall be drawn in the manner now provided for the drawing of Grand Jurors in open court, and the names shall be selected from a list of jurors drawn from the jury box in open court, in the manner now provided by law for the drawing of a special venire. The first nine of the Grand Jurors so drawn, pursuant to this section, by order of the judge shall serve during the unexpired term of the nine Grand Jurors discharged whose term expires first, and the last nine Grand Jurors so drawn shall serve during the unexpired term of the nine Grand Jurors discharged whose term expires last.

Discharge of Grand Jury.

New Grand Jury drawn.

Manner of drawing Jurors.

Unexpired terms filled.

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 4. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 955

CHAPTER 567

AN ACT TO AMEND THE CHARTER OF THE CITY OF RALEIGH TO PROVIDE FOR A FOUR YEAR TERM OF OFFICE FOR ELECTIVE CITY OFFICIALS UPON A VOTE OF THE PEOPLE.

The General Assembly of North Carolina do enact:

SECTION 1. That the Charter of the City of Raleigh, the same being chapters fifty-nine and sixty of the Private Laws of one thousand nine hundred and thirteen and Acts amendatory thereto, be, and the same is hereby amended by striking out in section one of article nine of said Charter the words "One thousand nine hundred and thirteen" and inserting in lieu thereof the words "One thousand nine hundred and thirty-nine," and by striking out in the same section after the word "every" and before the word "years" the word "two" and substituting in lieu thereof the word "four," it being the intent and purpose of this

Chs. 59 and 60, Private Laws, 1913, and amendatory Acts (Charter of City of Raleigh), amended.

Election of City Officials of Raleigh for 4-year terms, proposed.

Submission of proposal to voters.

Form of ballots.

Manner of holding election.

Effective date of amendment.

Conflicting laws repealed.

Certified copy of amendment filed with Secretary of State.

Conflicting laws repealed.

Act that the terms of office of elective officers of the City of Raleigh shall be four years, effective at the general municipal election of one thousand nine hundred and thirty-nine.

SEC. 2. That this amendment to the Charter of the City of Raleigh be submitted to the qualified voters thereof at the next general municipal election in said city after ratification of this Act.

SEC. 3. That the city shall furnish ballots on which shall be written or printed the words, "For four-year terms of office for City Commissioners beginning in one thousand nine hundred and thirty-nine", and "Against four-year terms of office for City Commissioners beginning in one thousand nine hundred and thirty-nine."

SEC. 4. That the election upon this charter amendment shall be held and the votes returned, compared, counted and canvassed and the results announced under the general rules and regulations enforced at the general municipal election of one thousand nine hundred and thirty-seven for returning, comparing and counting votes for members of the City Commission, and if a majority of the votes be in favor of the charter amendment, the same shall be in full force and effect beginning with the terms of office of City Commissioners elected in the general municipal election of one thousand nine hundred and thirty-nine, and all laws and clauses of laws in conflict with the provisions of this Act are hereby specifically repealed. Within thirty days after the approval of the charter amendment the election authorities shall certify a copy of the said amendment to the Secretary of State, who shall file it as a public record in his office and publish it as an appendix to the session laws enacted by the General Assembly.

SEC. 5. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 6. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 958

CHAPTER 568

AN ACT AMENDING SECTION THREE, CHAPTER THREE HUNDRED NINETY-EIGHT, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-THREE, RELATING TO THE SALARY AND COMPENSATION OF THE CLERK OF THE SUPERIOR COURT OF BLADEN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section three, chapter three hundred ninety-eight, Public-Local Laws of one thousand nine hundred thirty-three, which section relates to the salary and compensation of the Clerk of the Superior Court of Bladen County, be, and the

same is hereby amended by striking out in lines three and four of said section the words "with an allowance of forty-five dollars per month for clerical help", and by adding at the end of said section the following:

"*Provided, however,* that the County Commissioners of Bladen County, if requested in writing by the Clerk of the Superior Court of said county for clerical assistance to himself, shall allow for said purpose, and shall pay or cause to be paid to some person named by said Clerk of the Superior Court, approved by said County Commissioners, and regularly performing said clerical assistance, a sum of not less than forty-five dollars per month and not exceeding sixty-five dollars per month."

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after the first Monday in April, one thousand nine hundred and thirty-seven.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

Clerical assistance for C. S. C., Bladen County, authorized.

Compensation.

Conflicting laws repealed.

Effective date.

H. B. 959

CHAPTER 569

AN ACT AMENDING SECTION FOUR, CHAPTER THREE HUNDRED NINETY-EIGHT, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-THREE, AND REPEALING SECTION ONE, CHAPTER THREE HUNDRED FORTY-ONE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-FIVE, RELATING TO THE SALARY AND COMPENSATION OF THE REGISTER OF DEEDS OF BLADEN COUNTY.

The General Assembly of North Carolina do enact:

SEC. 1. That section four, chapter three hundred ninety-eight, Public-Local Laws of one thousand nine hundred thirty-three, which section relates to the salary and compensation of the Register of Deeds of Bladen County, be, and the same is hereby amended by adding at the end of said section the following:

"*Provided, however,* that the County Commissioners of Bladen County, if requested in writing by the Register of Deeds of said county for clerical assistance to himself, shall allow for said purpose, and shall pay or cause to be paid to some person named by said Register of Deeds, approved by said County Commissioners, and regularly performing said clerical assistance, a sum of not less than forty-five dollars per month and not exceeding sixty-five dollars per month. But in no case shall the total amount so allowed and so paid or caused to be paid during any fiscal year, plus the sum of one thousand two hundred dollars, exceed the total cash receipts coming into the office of said Register of Deeds during said fiscal year."

Ch. 398, Public-Local Laws, 1933, amended.

Clerical assistance for Register of Deeds, Bladen County, provided for.

Compensation.

Limitation of compensation.

Sec. 1, Ch. 341,
Public-Local Laws,
1935, repealed.

SEC. 2. That section one, chapter three hundred forty-one, Public-Local Laws of one thousand nine hundred thirty-five, which section relates to the same subject matter, be and the same is hereby repealed.

Conflicting laws
repealed.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Effective date.

SEC. 4 That this Act shall be in full force and effect from and after the first Monday in April, one thousand nine hundred thirty-seven.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 990

CHAPTER 570

AN ACT VALIDATING GREENE COUNTY COURTHOUSE BONDS.

The General Assembly of North Carolina do enact:

Proceedings author-
izing Courthouse
bonds, Greene
County, validated.

SECTION 1. That the proceedings of the Board of County Commissioners of Greene County and of the Local Government Commission adopted in connection with the authorization and sale of one hundred thousand dollars (\$100,000.00) courthouse bonds of Greene County, North Carolina, dated October first, one thousand nine hundred thirty-four, are hereby validated and confirmed.

SEC. 2. This Act shall take effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 991

CHAPTER 571

AN ACT TO MAKE THE SEWAGE TAX IN THE TOWN OF SNOW HILL A LIEN UPON THE PROPERTY AND TO PROVIDE FOR COLLECTION OF SAME.

Preamble: Sewage
tax imposed by Town
of Snow Hill.

Whereas, the town of Snow Hill, by ordinance duly adopted upon the installation of the water works and sewage system in the town of Snow Hill a sewage tax in the sum of fifty cents per month payable monthly; and

Sale of town electric
plant and water
system.

Whereas, the said Town of Snow Hill in one thousand nine hundred thirty-one, sold to the Tide Water Power Company, its electric plant and water system, and

Refusal of purchaser
to take over sewage
system.

Whereas, the Tide Water Power Company refused to purchase or take over the sewage system in said Town of Snow Hill, and

Whereas, it has become almost impossible to collect the sewage tax in said town due to the fact that the town authorities have no way to cut off the water to customers upon their failure to pay, the Tide Water Power Company now owning the water system: *Now, Therefore*,

Difficulty in collecting sewage tax.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of the Town of Snow Hill, having upon the installation of their light and water system, established by ordinance a sewage tax of fifty cents for the use of said sewage in said town by consumers or owners of the property, the said tax is hereby ratified and approved and the property owners declared primarily liable therefor, and the Board of Commissioners and/or its tax collector is hereby authorized to collect same from the property owners.

Sewage tax approved.

SEC. 2. That the property owners using said sewage system are hereby authorized to collect same from their tenants and to add same to their rent.

Liability of property owners.
Collection of tax.

SEC. 3. That upon the failure of the owners of the buildings using said sewage to pay said tax when the same falls due or within thirty days thereafter, the same shall become a lien upon said property as in the case of taxes, the collection of which shall be enforced in the same manner and under the same conditions as taxes are now collected.

Property owners authorized to collect tax from tenants.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

Unpaid sewage tax made lien on property.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

Enforcement of collection.

H. B. 1009

CHAPTER 572

AN ACT RELATING TO THE SOLICITORS OF THE RECORDER'S COURT OF RICHMOND COUNTY AND MARK'S CREEK TOWNSHIP, RICHMOND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That at the next general election to be held in Richmond County for the election of county officers, and biennially thereafter, there shall be elected a solicitor for the Richmond County Recorder's Court in the same manner as now provided for the election of the recorder for said court, and the said solicitor shall receive an annual salary of one thousand two hundred (\$1,200.00) dollars, payable annually.

Election of Solicitor for Richmond County Recorder's Court.

SEC. 2. That at the expiration of the present term of office of the Solicitor of the Recorder's Court of Mark's Creek Township, Richmond County, the salary of the said recorder shall be one thousand two hundred (\$1,200.00) dollars annually, payable in equal monthly installments.

Salary.

Salary of recorder of Mark's Creek Township Recorder's Court.

Conflicting laws
repealed.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1024

CHAPTER 573

AN ACT TO PROVIDE FOR THE COLLECTION OF DELINQUENT TAXES IN GRANVILLE COUNTY.

The General Assembly of North Carolina do enact:

Imposition of special
penalty for non-pay-
ment of taxes, Gran-
ville County, author-
ized.

SECTION 1. In addition to other penalties provided by law for nonpayment of taxes, the Board of County Commissioners of Granville County, may, in its discretion, impose a special penalty of fifty cents (50c) on each taxpayer who has not paid his taxes by the first day of April in the year following the year in which such taxes are levied. Such penalty, when imposed, shall be collected with the taxes and shall be paid to the general fund of said county.

Collection.

Current tax books
turned over to
sheriff.

SEC. 2. If in any year, on the first Monday in October, the sheriff's sale for delinquent taxes of the preceding year has not been held, the Board of County Commissioners of Granville County, may, in its discretion, turn over to said sheriff, on said first Monday in October, the tax books for the current year, upon proof by the sheriff, satisfactory to said commissioners, that he has paid over to the official designated by law to receive the same, all moneys collected by said sheriff on account of taxes for the preceding year or on account of penalties thereon. As soon as practicable after said sale is held said sheriff shall turn over, to such person as may be designated by the commissioners, all certificates representing taxes for the preceding year, and all receipts and stubs for taxes for such preceding year as are not represented by certificates and which have not already been turned over under section three hereof, and shall make full settlement for taxes for said preceding year in the manner required by law.

Date.

Prerequisite.

Certificates, receipts
and stubs for taxes
turned over to proper
officer by sheriff.

Settlement for taxes
collected during pre-
ceding year.

Designation of officer
to receive delinquent
taxes from sheriff.

Receipts and stubs.

Collection of de-
linquent taxes.

Remedies.

SEC. 3 The Board of County Commissioners of Granville County shall designate the county accountant or some other officer to receive said delinquent taxes from the sheriff and may, in its discretion, require that all receipts and stubs for taxes which are not liens on real estate be turned over by said sheriff to said accountant or other officer at the time at which the tax books for the current year are delivered to said sheriff.

Said accountant or other officer so designated shall have all powers and authority for the collection of taxes as may now or hereafter be allowed by law to sheriffs and tax collectors, including, but not restricted to, the power to employ any and

all remedies allowed by law for the collection of taxes from the personal property of the taxpayer, whether such personal property be tangible or intangible.

SEC. 4. The Board of County Commissioners of Granville County may, in its discretion, employ a special assistant to the officer designated to collect delinquent taxes, to serve for such time and such compensation as said board may prescribe. Said assistant shall give bond in such amount and with such sureties as said board may require, conditioned on the faithful performance of the duties assigned to him and on the full accounting for and paying over to the county all moneys collected by him by virtue of his employment. Said assistant shall make weekly reports to the county accountant, and shall at least once each week pay over to said accountant all moneys collected by him. Said assistant shall have all powers and authority for the collection of said delinquent taxes as may be by general law or by this Act given to the official designated by said commissioners as collector of delinquent taxes.

SEC. 5. It shall be the duty of the county accountant of Granville County to keep separate records of collections by the sheriff, by the official designated as delinquent tax collector, and by the special assistant herein provided for.

SEC. 6. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 7. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

Special assistant to aid in collecting delinquent taxes, authorized.

Tenure and compensation.

Bond.

Weekly reports.

Powers.

Separate records of current and delinquent collections.

Conflicting laws repealed.

H. B. 1031

CHAPTER 574

AN ACT TO VALIDATE CERTAIN SALES OF LAND FOR TAXES AND CERTIFICATES ISSUED IN PURSUANCE THEREOF IN SURRY COUNTY. (APPLICABLE ALSO TO WILKES COUNTY.)

The General Assembly of North Carolina do enact:

SECTION 1. That all sales of land for failure to pay taxes held or conducted by the Sheriff of Surry County and Wilkes County beginning on the first Monday in December, one thousand nine hundred thirty-six, be and the same are hereby approved, confirmed and ratified and shall have the same force and legal effect as if said sales had been held and conducted on the date prescribed by law.

SEC. 2. That the act of the Board of Commissioners of Surry County and Wilkes County, North Carolina, in postponing the sales of land for failure to pay taxes and the act ordering said sales be held the first Monday in December, one thousand nine hundred thirty-six, be and the same is hereby approved, confirmed and validated.

Tax sales conducted by Sheriff of Surry County and of Wilkes County, validated.

Postponement of delinquent tax sales by Commissioners of said counties, respectively, validated.

Acts of out-going sheriff of each of said counties in issuing tax sales certificates, validated.

Tax Sales certificates validated.

Applies to Surry and Wilkes County only.

Conflicting laws repealed.

SEC. 3. That the acts of the out-going sheriff of Surry County and Wilkes County in issuing tax sales certificates for sale of land held, pursuant to order of the Board of Commissioners, beginning on the first Monday in December, one thousand nine hundred thirty-six, be and the same are hereby approved, and declared valid, and said tax sales certificates issued by said out-going Sheriff of Surry County and Wilkes County are in all respects approved, confirmed and are hereby validated.

SEC. 4. This Act shall apply to Surry County and Wilkes County only.

SEC. 5. All laws and clauses of laws in conflict herewith are hereby repealed.

SEC. 6. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1061

CHAPTER 575

AN ACT AUTHORIZING AND EMPOWERING THE BOARD OF COMMISSIONERS OF WILSON COUNTY AND THE BOARD OF COMMISSIONERS OF THE TOWN OF WILSON TO APPROPRIATE FUNDS FOR THE ESTABLISHMENT, CONSTRUCTION, ERECTION AND MAINTENANCE OF A FREE PUBLIC LIBRARY IN WILSON COUNTY.

Preamble: Necessity of free public library for Wilson County.

Funds available for establishment.

Whereas, under our plan of education the facilities of a free public library are necessary and requisite for an adequate and complete educational system for Wilson County, and *whereas*, the Commissioners for the Town of Wilson and the Commissioners for Wilson County, respectively, have on hand funds not derived from taxes out of which appropriations can be made for the establishment of a free public library: *Now, Therefore*,

The General Assembly of North Carolina do enact:

Appropriations by Wilson County and Town of Wilson for establishing free public library, authorized.

SECTION 1. The Board of Commissioners of Wilson County be and it is hereby authorized and empowered to appropriate, in its discretion, out of funds not derived from taxes, a sum not to exceed seventeen thousand five hundred dollars (\$17,500.00) and the Board of Commissioners of the Town of Wilson be and it is likewise authorized and empowered to appropriate, in its discretion, out of funds not derived from taxes, a sum not to exceed seventeen thousand five hundred dollars (\$17,500.00), the said total sum of thirty-five thousand dollars (\$35,000.00) thus appropriated to be set aside, paid over to and used by the Board of Trustees hereinafter specified, to establish, construct and erect a free public library.

SEC. 2. The said Board of Commissioners of Wilson County and the said Board of Commissioners of the Town of Wilson be and they are each hereby authorized and empowered to appropriate, in their discretion, from funds not derived from taxation, such sums as said boards may deem necessary for the support and maintenance of said free public library.

Appropriations for support and maintenance, authorized.

SEC. 3. The said library shall be named the Wilson County Public Library and shall be located in the Town of Wilson.

Name and location.

SEC. 4. For the government of such library there shall be created a board of seven trustees, three of whom shall be appointed by the Board of Commissioners of Wilson County and three of whom shall be appointed by the Board of Commissioners of the Town of Wilson and the trustees thus appointed shall elect the remaining trustee. One of the trustees appointed by the Board of Commissioners of Wilson County shall be one of the county commissioners and one of the trustees appointed by the Board of Commissioners of the Town of Wilson shall be one of the town commissioners. Such trustees shall hold their offices six years from their appointment and until their successors are appointed and qualified: *Provided*, that upon the first appointment of a Board of Trustees under this Act two members, one of whom shall be appointed by each of the said boards, shall be appointed for two years, two for four years and two for six years, and at all subsequent appointments, made every two years, two members, one by each of said boards, shall be appointed for six years. Any vacancy shall be immediately reported by the trustees to the Board of Commissioners originally making the appointment and shall be filled by appointment in the manner in which the original appointment was made, and if in an unexpired term, for the residue of the term only. The said commissioners may meet in joint session and remove any trustee for incapacity, unfitness, or misconduct, or for neglect of duties. No compensation shall be allowed any trustee except as hereinafter provided.

Appointment of Board of Trustees for library.

Staggered terms.

Appointment of successors.

Vacancy appointments.

Removal.

No compensation.

SEC. 5. Immediately after appointment and election such Board of Trustees shall organize by electing one of its members as president and one as secretary-treasurer, and by the election of such other officers as it may deem necessary. The said secretary-treasurer before entering upon his duties shall give bond to the said Boards of Commissioners in an amount fixed by the said Board of Trustees, conditioned for the faithful discharge of his official duties. The said secretary-treasurer, in the discretion of said trustees, shall be allowed and paid from said library fund such amount as the said trustees shall deem adequate compensation for his services as such secretary-treasurer. The said Board of Trustees shall adopt such by-laws, rules and regulations for its own guidance and for the government of the said library as may be expedient and in conformity with law. The said Board of Trustees shall have exclusive control of the expenditure of all moneys collected by or

Organization of Board.

Election of president, secretary-treasurer, etc.

Bond required of secretary-treasurer.

Compensation.

Adoption of by-laws, rules and regulations.

Control of expenditures.

placed to the credit of the said trustees for said library, and of the supervision, care and custody of the rooms or building constructed, leased or set aside for library purposes. All moneys received by said trustees for such library shall be paid to the secretary-treasurer who shall keep a separate account in a bank or the banks of Wilson and said account shall be designated as the library fund. The said fund shall be paid out by the secretary-treasurer upon authenticated requisition of the board of trustees through its president. With the consent of the said Board of Commissioners the said Board of Trustees may establish, erect or construct a building to be used for the Wilson County Public Library upon real estate secured or obtained through gift or purchase, provided that the said building be centrally located near the business section of the Town of Wilson. The said Board of Trustees may appoint a librarian, assistants and other employees and prescribe the rules for their conduct and employment and fix their compensation, and shall also have power to remove such appointees or employees whenever in its judgement it is advisable. Said Board of Trustees may extend the privileges and use of such library to persons not residents of Wilson County upon such terms and conditions as said Board of Trustees may prescribe.

Supervision, care, etc. of rooms or building.

Handling of funds.

Disbursements.

Construction of library building.

Location.

Appointment of librarian, etc.

Rules of conduct.

Compensation.

Removal.

Extension of privileges to non-residents.

Annual reports.

Acceptance of gifts, grants, etc.

Title to property vested in Board of Trustees.

Use.

Free use of library.

Application of general laws imposing fines, etc. for misuse of property of public libraries.

Conflicting laws repealed.

SEC. 6. The said Board of Trustees shall make annual reports as provided for in section two thousand six hundred and ninety-seven of the Consolidated Statutes of North Carolina and said Board of Trustees may accept any gift, grant, devise or bequest as is provided for libraries generally in section two thousand six hundred and ninety-eight of the Consolidated Statutes of North Carolina.

SEC. 7. The title to all property given, granted or conveyed, devised or bequeathed to or otherwise acquired shall vest in and be held by the said Board of Trustees for the use and benefit of the Town of Wilson and the County of Wilson, share and share alike.

SEC. 8. The said library established under this Act shall be forever free to the use of the inhabitants and residents of the County of Wilson, subject to such rules as the Board of Trustees may adopt.

SEC. 9. The personal property owned by or the title to real estate vested in said Board of Trustees shall be subject to the provisions of section two thousand seven hundred and two (a) of the Consolidated Statutes of North Carolina and all other sections of the Consolidated Statutes of North Carolina imposing fines and imprisonment for misuse of property of public libraries in North Carolina are hereby incorporated in and made a part of this Act and the property and facilities of said Wilson County Public Library shall be used subject to the provisions of said section, or sections.

SEC. 10. All laws and clauses of laws in conflict herewith are hereby repealed to the extent of such conflict only.

SEC. 11. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1062

CHAPTER 576

AN ACT TO REGULATE THE HUNTING OF FOXES IN WARREN COUNTY IN CONFORMITY WITH THE NORTH CAROLINA GAME LAW.

The General Assembly of North Carolina do enact:

SECTION 1. It shall be unlawful to hunt or take foxes in Warren County from March first to July thirty-first of each year except in the protection of domestic fowl or livestock.

Hunting of foxes in Warren County during certain months, prohibited. Exception.

SEC. 2. That foxes may be hunted with gun, only during the open season on other game birds or animals except in the protection of domestic fowl or livestock.

Hunting foxes with gun, permitted only during open season.

SEC. 3 That any person or persons violating any of the provisions of this Act shall be guilty of a misdemeanor and fined not more than fifty (\$50.00) dollars or imprisoned not more than thirty days.

Violation made misdemeanor.

SEC. 4. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 5. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1070

CHAPTER 577

AN ACT TO AMEND CHAPTER FOUR HUNDRED AND TWENTY-NINE, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE, RELATING TO RECORDERS' COURT OF STANLY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and twenty-nine of the Public-Local Laws of one thousand nine hundred and thirty-five, be, and the same is hereby amended by striking out all of section three of said chapter.

Ch. 429, Public-Local Laws, 1935, amended, repealing provision preventing recorder and prosecutor, Stanly County, from succeeding themselves.

SEC. 2. All laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1072

CHAPTER 578

AN ACT TO INCREASE THE PAY OF THE MEMBERS OF
THE BOARD OF COUNTY COMMISSIONERS OF STANLY
COUNTY.*The General Assembly of North Carolina do enact:*

Salary of Chairman,
County Commission-
ers, Stanly County,
increased.

SECTION 1. That from and after the ratification of this Act, the Chairman of the Board of County Commissioners of Stanly County shall receive a salary of fifty dollars (\$50.00) per month, and in addition thereto shall receive five dollars (\$5.00) per day for services rendered said board in his official capacity; the remaining members of said board shall each receive a salary of twenty-five dollars (\$25.00) per month, and in addition thereto five dollars (\$5.00) per day for services rendered said board in their official capacity, instead of the amount now allowed by law.

Salary of other
Commissioners,
increased.

Conflicting laws
repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1080

CHAPTER 579

AN ACT TO PREVENT THE SALE OF BEER, ALE, WINE,
OR OTHER INTOXICANTS IN YANCEY COUNTY.*The General Assembly of North Carolina do enact:*

Sale of intoxicants
in Yancey County,
after July 1, 1937,
prohibited.

SECTION 1. That from and after the first day of July, one thousand nine hundred thirty-seven, it shall be unlawful for any person, firm or corporation to sell any beer, ale, wines, or other intoxicants in Yancey County having more than one-half of one per cent alcoholic contents, either by weight or by volume. Any person violating the provisions of this section shall be guilty of a misdemeanor and fined or imprisoned, or both, in the discretion of trial court.

Violation made
misdemeanor.

Conflicting laws
repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1085

CHAPTER 580

AN ACT TO AUTHORIZE VOCATIONAL AGRICULTURAL TEACHERS IN DUPLIN AND SAMPSON COUNTIES TO VACCINATE HOGS AGAINST CHOLERA WITHOUT LICENSE.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be lawful for Vocational Agricultural Teachers in Duplin and Sampson Counties to vaccinate hogs against cholera without license including the giving of lifetime treatments.

Vaccination of hogs against cholera in Duplin and Sampson Counties.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1088

CHAPTER 581

AN ACT TO REGULATE THE PAY OF PRECINCT OFFICERS OF NEW HANOVER AND RANDOLPH COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. The County Commissioners of New Hanover and Randolph Counties are hereby authorized to designate eight hours or a fraction thereof as a day's service for precinct officers in New Hanover and Randolph Counties; and the said County Commissioners are hereby authorized to pay to the said precinct officer the sum of five dollars (\$5.00) per day or fraction thereof for their services.

Designation of day's service for precinct officers, New Hanover and Randolph Counties.

Compensation.

SEC. 2. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1095

CHAPTER 582

AN ACT TO EXTEND THE JURISDICTION OF THE MUNICIPAL COURT OF THE CITY OF HICKORY TO INCLUDE PUBLIC PARKS AND AIRPORTS BELONGING TO THE CITY OF HICKORY AND LYING PARTIALLY IN OTHER COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That the Municipal Court of the City of Hickory shall have original jurisdiction over any and all offenses occurring upon the property of the City of Hickory acquired for public park purposes, airport purposes, or other purposes, whether or not the said property shall lie in Catawba County or in other counties.

Extension of territorial jurisdiction of Municipal Court of City of Hickory.

Extension of territorial jurisdiction of police officers of Hickory, and officers of Catawba County.

SEC. 2. That when the City of Hickory is the owner of certain properties used for park, airport, or other purposes, and lying partly within and partly without the County of Catawba, the city police of the City of Hickory, or any other lawful officer of Catawba County, shall have the right and power to make arrests for violations of law occurring on said property.

Conflicting laws repealed.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1122 CHAPTER 583

AN ACT TO AMEND CHAPTER FIVE HUNDRED AND FIFTY-NINE, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE, SO AS TO INCLUDE BURKE COUNTY WITHIN THE PROVISIONS OF SAID CHAPTER FIVE HUNDRED AND FIFTY-NINE.

The General Assembly of North Carolina do enact:

Ch. 559, Public-Local Laws, 1935, amended.

SECTION 1. That section eleven, chapter five hundred and fifty-nine of the Public-Local Laws of one thousand nine hundred and thirty-five, be and the same is hereby amended by striking out at the end of said section in line one the period and adding at the end thereof the words "and Burke County," so as to include Burke County within the provisions of said chapter.

School buildings bond act made applicable to Burke County.

Conflicting laws repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1125 CHAPTER 584

AN ACT TO AMEND CHAPTER THREE HUNDRED AND FORTY-FOUR OF THE PUBLIC-LOCAL LAWS OF THE SESSION OF ONE THOUSAND NINE HUNDRED AND THIRTY-ONE RELATING TO THE FEES TO BE COLLECTED BY THE CLERK OF THE SUPERIOR COURT OF GRANVILLE COUNTY.

The General Assembly of North Carolina do enact:

Fees collected by C. S. C., Granville County.

SECTION 1. That the Clerk of the Superior Court of Granville County shall collect and account for to the general county fund of said county the following fees, namely:

Advertising and selling under mortgage or deed of trust given in lieu of bond four dollars for sales of real estate and two dollars for sales of personal property.

Sale under mortgage in lieu of bond.

Affidavit, including jurat, twenty-five cents.

Affidavit.

Appeal from justice of the peace or other court inferior to the Superior Court, one dollar.

Appeal from inferior court.

Appeal from clerk to judge, one dollar.

Appeal from Clerk.

Appeal to the Supreme Court, including certificate and seal, three dollars.

Appeal to Supreme Court.

Apprenticing infant, including indenture, two dollars.

Apprenticing infant.

Attachment, order in, fifty cents.

Order in attachment.

Auditing accounts, either annual or final, of administrators, collectors, executors, guardians, receivers, surviving partners, or other trustees or fiduciaries required or allowed to render accounts, except commissioners appointed to sell real or personal property, mortgages or trustees in deeds of trust, fifty cents for each one hundred dollars or major fraction thereof of the total receipts and disbursements through one thousand dollars, and ten cents for each one hundred dollars or major fraction thereof on the total receipts and disbursements in excess of one thousand dollars, but in no event shall the fee be less than one dollar, *provided* that no fee shall be charged upon amounts collected from the fiduciary himself or upon the payment of any legacy or distributive share or the amount due any ward or cestui que trust, *provided further* that when stocks, bonds or any other personal property is assigned, delivered or transferred to any creditor, distributee or legatee without converting the same into cash, these fees shall be computed and charged on said stock, bonds or other personal property at the market or estimated value thereof at the time the same are assigned, delivered or transferred; *provided further* that when the fees herein prescribed shall have been charged upon any item in an annual account, no further fees shall be charged on any item in any subsequent account, and no fees shall be charged upon the balance brought forward from one account to a subsequent account upon the auditing of said subsequent account. The fees to be charged by the clerk on property assigned, delivered or transferred shall be computed and charged at the time of filing of any account which shows or ought to show the assignment, delivery or transfer of such property not converted into cash, and any assignment, delivery or transfer to a creditor in part or full payment of his claim against the estate shall be considered a disbursement.

Auditing accounts of administrators, and other fiduciaries.

Fees charged on personal property distributed.

Auditing the accounts of commissioners appointed to sell real or personal property, mortgagees or trustees in deeds of trust twenty-five cents on each one hundred dollars or major fraction thereof of receipts and disbursements through one thousand dollars and ten cents on each one hundred dollars or major fraction thereof of receipts and disbursements over one thousand dollars, but in no event shall the fee be less than one dollar

Auditing accounts of commissioners, mortgagees, etc.

nor more than twenty-five dollars, *provided* that no fee shall be charged upon any payment to any owner of any interest in the property sold other than a lien thereon or upon any payment to an executor or administrator as assets with which to pay debts.

Bill of costs.
Justification of bond.
Cancelling lis pendens.
Capias.
Caveat to will.

Bill of costs, preparing same, fifty cents.

Bond or undertaking, including justification, sixty cents.

Cancelling notice of lis pendens, twenty-five cents.

Capias, each defendant, one dollar.

Caveat to a will, entering and docketing the same for trial, one dollar and fifty cents.

Certificate.

Certificate, twenty-five cents plus one dollar for the first three hundred words and fifteen cents for each additional one hundred words or fraction thereof contained in the record as to which the certificate is made where the clerk prepares the copy, and one-half of said copying fees where the copy is prepared for him, but a certified copy of letters of administration, letters testamentary or letters issued to any other fiduciary including certificate and seal, fifty cents.

Order in claim and delivery.
Issuing commission.
Commitment to prison.

Claim and delivery, order in, fifty cents.

Commission, issuing, one dollar.

Commitment to the roads or state prison, including certificate and seal on original and copy, one dollar.

Confirmation.

Confirmation, fifty cents.

Continuance.

Continuance, thirty cents.

Recording certificate of incorporation.

Corporations, recording certificate of incorporation when the same does not contain more than fifteen hundred words, four dollars, and fifteen cents per hundred words or major fraction thereof above fifteen hundred words.

Recording dissolution certificate.

Corporations, recording certificate of dissolution, two dollars.

Docketing *ex parte* proceeding.

Docketing *ex parte* proceedings, seventy-five cents.

Docketing indictment.
Docketing liens.

Docketing indictment as to each defendant, twenty-five cents.

Docketing liens, twenty-five cents, plus one dollar for the first three hundred words and fifteen cents for each additional one hundred words or fraction thereof in the notice.

Docketing judgment.

Docketing judgment, fifty cents.

Docketing summons.

Docketing summons, fifty cents.

Docketing transcript of judgment.

Docketing transcript of judgment, forty cents, plus indexing and filing fees.

Registering doctors, etc.

Doctors, dentists, physicians, surgeons, osteopaths, and chiropractors, registering, including issuing certificate under seal and all other services, one dollar.

Filing pleadings, etc.

Filing pleadings or any other papers required or allowed to be filed except as otherwise specified, each ten cents.

Filing judgment roll.

Filing judgment roll or jacket containing all papers in suit or proceeding, twenty-five cents.

Appointment of guardian.

Guardian, appointment of, including taking application, bond and justification and issuing letters of guardianship and indexing, five dollars.

Hearing before clerk of any contested matter, one dollar per hour, the minimum fee to be two dollars.	Hearing before clerk.
Impaneling jury, twenty-five cents.	Impaneling jury.
Indexing judgment on cross-index book, ten cents for each plaintiff and defendant.	Indexing judgment.
Indexing liens on lien book, ten cents for each party for or against whom the lien is claimed.	Indexing liens.
Indexing where no other fee is fixed, five cents for each name on single index and ten cents for each name on cross-index, but where cross-index is used no fee shall be charged for the single index.	Other indexing.
Indictment, each defendant in bill, sixty cents.	Indictment.
Injunction, order for, including taking bond and justification, one dollar and fifty cents.	Order of injunction.
Judgment final in term time in civil actions, one dollar, and twenty-five cents additional for each defendant over one contesting plaintiffs claim.	Judgment final in civil actions.
Judgment final against each defendant, in criminal actions, one dollar.	Judgment final in criminal actions.
Judgment final before clerk, one dollar and fifty cents.	Judgment final before clerk.
Judgment by confession without notice, all services, four dollars.	Judgment by confession.
Judgment, certificate of satisfaction or entries of payments, including seal, one dollar.	Certificate of satisfaction.
Judgment in favor of widow's year's support, including docking and indexing, seventy-five cents.	Judgment for widow's support.
Judgment nisi, entering against defaulting witness, juror or bail on bond or recognizance, twenty-five cents.	Judgment nisi.
Justice of the peace, qualification, including recording name and expiration of term of office and indexing, to be paid by the justice of the peace, seventy-five cents.	Qualification of justice of peace.
Jury tax in civil actions two dollars per hour for such time as the jury is engaged in the trial of the particular case, with a minimum charge of five dollars in each case; in criminal actions a jury tax of four dollars shall be taxed against each defendant whether the jury be used or not; in special proceedings the actual cost of the jury shall be taxed in the bill of costs.	Jury tax.
Justification of sureties on any bond or undertaking except as otherwise provided, fifty cents.	Justification of sureties.
Letters, certified copy of letters issued to an administrator, or other fiduciary except one copy furnished at the time of the qualification, each fifty cents.	Letters of administration, etc.
Minutes, entries in or copying any paper therein, one dollar for the first three hundred words and fifteen cents for each additional one hundred words or fraction thereof, provided that in criminal cases which are continued from term to term entries after the first of not more than three hundred words shall be twenty-five cents.	Entry of minutes.
Motions, entry of record, twenty-five cents.	Entry of motions.

Qualification of Notaries.	Notaries public, qualification, including certificate and seal to Governor and all other services, one dollar.
Notifying solicitor of guardian's removal.	Notifying solicitor of removal of guardian, one dollar.
Registration of nurses.	Nurses, registering trained nurses, including certificate of registration and seal, seventy-five cents.
Extension of time for pleading.	Order enlarging time for pleading, thirty cents.
Interlocutory orders.	Orders interlocutory, twenty-five cents.
Order of arrest.	Order of arrest, one dollar.
Order for appearance of apprentice, etc.	Order for appearance of apprentice on complaint of master one dollar, for appearance of master on complaint of apprentice, one dollar.
Order of removal.	Order removing any civil or criminal action to the Superior Court of any other county or to a court of the United States, one dollar.
Order of re-sale.	Order for re-sale of property under deed of trust or mortgage, each twenty-five cents.
Order to make title.	Order to make title after sale under deed of trust or mortgage, fifty cents.
Probate of instrument acknowledged in another county.	Order for the registration of a deed or other writing which has been proved or acknowledged in another county or before a judge, justice of the peace, notary public or other officer, except a chattel mortgage or crop lien, twenty-five cents for each certificate upon which the clerk has to pass.
Chattel mortgage, etc.	Pauper, order to sue as, one dollar.
Order to sue as pauper.	Partnership, probate of registration or limited partnership, certificate and recording same, twenty-five cents as to each partner or notary certificate, plus one dollar for the first three hundred words and fifteen cents for each additional one hundred words or fraction thereof in the certificate.
Recording partnership certificate.	Postage, actual amount necessarily expended.
Postage.	Presentment, each person presented, twenty-five cents.
Presentment.	Probate of statutory short form chattel mortgage or crop lien where no married woman is involved, ten cents, and for each extra certificate passed upon, ten cents.
Probate of chattel mortgage, etc.	Probate of deed or other writing proved by witness, including the certificate and order to record, twenty-five cents.
Probate of writings proved by witness.	Probate of deed or other writing acknowledged by the signers or makers, including all, except married women, who acknowledge at the same time, with the certificate thereof and order of registration, twenty-five cents, and twenty-five cents for the private examination of each married woman examined.
Probate of instrument acknowledged by makers at same time.	Probate of a will in common form, qualification of executor, affidavit as to estate and letters testamentary, four dollars.
Probate of will.	Qualification of administrator, including taking the application, affidavit and bond, making the order and issuing one copy of letters, five dollars.
Qualification of administrator.	Qualification of administrator with the will annexed, including application, affidavit and bond, making the order and issuing one copy of letters, two dollars.
Qualification of administrator, c. t. a.	

Recognizance, each party where no bond is taken, twenty-five cents.	Recognizance.
Recording papers, one dollar for the first three hundred words or fraction thereof, and fifteen cents for each additional one hundred words or major fraction thereof.	Recording papers.
Recording appointment of process agent for non-resident, seventy-five cents.	Recording appointment of process agent.
Recording widow's year's allowance where there is no judgment for deficiency, all services, one dollar.	Recording widow's year's allowance.
Recording wills, one dollar for the first three hundred words, and fifteen cents for each additional one hundred words or major fraction thereof, including the probate.	Recording wills.
Report to Highway Commission of infractions of highway laws as to each person convicted or pleading guilty, fifty cents.	Report to Highway Commission.
Report of sale of property under mortgage or deed of trust, including indexing, twenty-five cents, and each report of resale, fifteen cents.	Report of sales under mortgages, etc.
Resignation of guardian, relinquishment of the right to administer or qualify as executor, receiving, filing and noting same, twenty-five cents.	Filing resignation of guardian, etc.
Seal of office when necessary, twenty-five cents, and seals on duplicates of summons or other instruments, ten cents.	Affixing seal.
Stenographer, in the trial of all actions whether civil or criminal in which a court stenographer is used, a minimum stenographer's fee of two dollars, and two dollars per hour more than one that the stenographer is engaged in taking the evidence and the charge of the court, in criminal actions where there are two or more defendants, the above schedule of stenographer's fees shall apply to each defendant unless otherwise directed by the judge.	Stenographer's fee.
Subpoena, each name, fifteen cents.	Subpoena.
Summons in a civil action or special proceeding, one dollar, and for every copy thereof, twenty-five cents.	Summons.
Swearing witnesses, each five cents.	Swearing witness.
Transcript of judgment when not necessary to copy judgment, forty cents.	Transcript of judgment.
Transcript of copy of any matter of record or papers on file, one dollar for the first three hundred words, and fifteen cents for each additional hundred words or fraction thereof.	Transcript of other matters of record.
Warrant, docketing, twenty-five cents.	Docketing warrant.
The clerk shall also account to the general county fund for five per cent on all fines, penalties, amercements and taxes paid him by virtue of his office and three per cent of all sums of money not exceeding five hundred dollars placed in his hands by virtue of his office, except on judgments, decrees, executions and deposits under article three of chapter fifty-four of the Consolidated Statutes, and upon the excess over five hundred dollars of such sums one per cent.	Commission on fines, penalties, etc.
SEC. 2. All laws and clauses of laws in conflict herewith are hereby repealed, but this Act shall be construed as supplement-	Conflicting laws repealed.

Act supplementary
to other laws.

tary to other laws, and the Clerk of the Superior Court shall collect and account for all such fees as are not specifically set forth herein which may be prescribed by any other law or clause of law.

Effective date.

SEC. 3. That this Act shall be in force from and after the first day of April, one thousand nine hundred and thirty-seven.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1132

CHAPTER 585

AN ACT TO PROVIDE FOR THE DISTRIBUTION OF PROFITS FROM THE OPERATION OF LIQUOR STORES IN ROWAN COUNTY.

The General Assembly of North Carolina do enact:

Division of profits
from liquor stores
located in Rowan
County.

SECTION 1. That from the profits of any liquor stores which are or may hereafter be operated in Rowan County, the treasurer of said county shall at the end of each quarterly period after an accounting has been received by him from the County Board of Alcoholic Control, pay over to the Treasurer of the City of Salisbury thirty per cent of the net profits received by the county from the operation of a liquor store or stores, and pay twenty per cent of the net profits received by the county from the operation of said store or stores to all other incorporated municipalities within the County of Rowan to be apportioned to said municipalities in proportion to the population of said municipalities based upon the last census.

30% to Salisbury.

20% to other
municipalities.

Profits used for
reduction of taxes.

SEC. 2. That the profits so distributed to the County of Rowan and the various municipalities located therein shall be used for the reduction of taxes.

Conflicting laws
repealed.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1144

CHAPTER 586

AN ACT TO GIVE THE SHERIFF OF WILSON COUNTY CUSTODY OF THE COMMON JAIL OF WILSON COUNTY.

The General Assembly of North Carolina do enact:

Ch. 212, Public-
Local Laws, 1935,
amended.

SECTION 1. That section three of chapter two hundred and twelve of the Public-Local Laws of one thousand nine hundred and thirty-five, be and the same is hereby amended by adding at the end thereof the following:

"*Provided, however,* the Sheriff of Wilson County shall have powers and rights co-extensive with the duly elected keeper of the common jail of Wilson County to enter said jail for the purpose of placing prisoners therein or removing prisoners therefrom and to this end shall be provided with keys to the jail."

SEC. 2. That this Act shall be in full force from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

Rights and powers of Wilson County Sheriff with respect to county jail and prisoners.

H. B. 1150

CHAPTER 587

AN ACT TO AMEND HOUSE BILL NUMBER FOUR HUNDRED FORTY-NINE OF THE ONE THOUSAND NINE HUNDRED THIRTY-SEVEN SESSION OF THE GENERAL ASSEMBLY RELATING TO THE COLLECTION OF TAX IN PENDER COUNTY AND SALARY OF TAX COLLECTOR.

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill number four hundred forty-nine of the one thousand nine hundred thirty-seven session of the General Assembly of North Carolina relating to the collection of taxes in Pender County and salary of the tax collector be amended by adding at the end of section two of said Act a section to be designated as section two and one-half as follows: (section two and one-half) Such tax collector shall give bond for the faithful discharge of his duties in such amount as shall be required by the Board of County Commissioners of Pender County, the premium on which bond shall be paid by the county.

H. B. 449, Ch. 249, Public-Local Laws, 1937, amended.

Bond required of tax collector, Pender County.

Payment of premium.

SEC. 2. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1152

CHAPTER 588

AN ACT TO PERMIT THE SALE AND USE OF HOG CHOLERA VIRUS IN CAMDEN COUNTY UNDER CERTAIN CONDITIONS.

The General Assembly of North Carolina do enact:

SECTION 1. That the Farm Demonstration Agent of Camden County shall select suitable and qualified persons, not more than one from each township, and grant permission to such persons in writing to distribute, sell or use virulent blood from hog-cholera-infected hogs, or virus, in Camden County, such ap-

Appointment of persons to distribute, sell and use hog-cholera virus in Camden County.

Compensation.

Revocation of permission.

Vocational Teachers of Agriculture authorized to vaccinate hogs against cholera.

Said teachers permitted to buy, sell, and use virus.

Inapplicability of C. S. 4492 and C. S. 4879.

Applies only to Camden County. Conflicting laws repealed.

pointments made by Farm Demonstration Agents to be approved by the Board of County Commissioners. The Farm Demonstration Agent shall have authority to fix the rate of compensation to be paid such persons and shall have the authority to revoke the permission granted any such person or persons. In addition to such persons as may be selected by the Farm Demonstration Agent of Camden County and approved by the Board of County Commissioners, as provided for in this Act, any and all of the Vocational Teachers of Agriculture in the schools of Camden County shall be permitted to vaccinate or inoculate hogs in said County with virus or virulent blood from the hog-cholera-infected hogs and for such purposes shall be permitted to buy, sell, distribute and use said virus or virulent blood from hog-cholera-infected hogs.

SEC. 2. That the provisions of section four thousand four hundred and ninety-two of the Consolidated Statutes of North Carolina and of section four thousand eight hundred and seventy-nine of the Consolidated Statutes of North Carolina shall not apply to any person distributing, selling or using virulent blood from hog-cholera-infected hogs or virus in Camden County with the written permission of the Farm Demonstration Agent of Camden County, and shall not apply to any of the Vocational Teachers of Agriculture in the schools of Camden County when they are buying, selling, distributing and using said virus or virulent blood from hog-cholera-infected hogs for the purpose of vaccinating or inoculating hogs in said county.

SEC. 3. That this Act shall apply only to Camden County.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this Act to the extent of such conflict are hereby repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1158

CHAPTER 589

AN ACT RELATING TO THE ESTABLISHMENT OF LIQUOR STORES IN CERTAIN TOWNSHIPS IN HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

Special provisions for establishment of liquor stores in Waynesville or Beaver Dam Townships, Haywood County.

SECTION 1. That, if any election held in the County of Haywood for the establishment of liquor stores in said county, a majority of the votes cast in Waynesville or Beaver Dam Townships shall be "For Liquor Control Stores", even though the majority of votes cast in the entire county were "Against Liquor Control Stores," such liquor control store may be established in the Town of Waynesville, Waynesville Township, and/or in the Town of Canton, Beaver Dam Township. Such

stores shall be under the same rules and regulations as set up in the Alcoholic Beverages Control Act ratified February twenty-second, one thousand nine hundred and thirty-seven, for the control of County Liquor Control Stores.

Rules and regulations.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1159

CHAPTER 590

AN ACT RELATING TO FILING OF DEATH CERTIFICATES OF WORLD WAR VETERANS IN WAKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Wake County Board of Health shall make an official copy of deaths of World War Veterans who die in Wake County or are buried therein. That said copy shall be filed separate and apart from all other death certificates filed in said county and shall be bound in separate books. In addition to the information contained on the regular death certificate as now provided by law, the records of all World War Veterans shall contain the following additional information:

Death certificates for World War Veterans dying or buried in Wake County filed separately.

Information shown on certificate

Name Serial No.....
 Home Address
 Next of Kin Address.....
 Date of Birth Place of Birth.....
 Date of Death Cause.....
 Buried 19..... At..... Cemetery
 City County.....
 Grave No..... Lot No..... Block..... Section.....
 War Record
 Branch of Service Rank.....
 Enlisted Discharges.....
 Information given by
 Remarks
 Care assigned Post No.....
 Race..... Certificate No.....

Record blanks.

The record blanks herein provided for shall be furnished by the State Board of Health. That the registration and filing of death certificates of World War Veterans, shall be conducted in the same manner as that now provided by law for filing other death certificates.

Manner of registering and filing certificates.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March A.D. 1937.

H. B. 1165

CHAPTER 591

AN ACT RELATING TO THE DRAINAGE OF THIRD CREEK IN ROWAN AND IREDELL COUNTIES, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Third Creek Drain-
age District, Rowan
and Iredell Coun-
ties, created.
Boundaries.

SECTION 1. There is hereby created a drainage district to be known as Third Creek Drainage District in Rowan and Iredell Counties, North Carolina, comprising all land within the following boundaries: All the bottom lands under four feet above high water on Third Creek from the old Neely Mill dam site near Gullett Bridge in Cleveland Township, Rowan County, up stream through Rowan County into Iredell County, up to the Statesville-Charlotte Railroad.

Appointment of
Commissioners.

SEC. 2. C. A. Brown and R. A. Knox of Rowan County, and P. P. Dulin of Iredell County, North Carolina are hereby appointed commissioners of said district to act for the term of three years. Thereafter commissioners shall hold office for a term of three years, to be appointed by the Clerk of the Superior Court of Rowan County. In the event that any of the said commissioners shall become incapacitated and unable to serve for any reason, then the Clerk of the Superior Court of Rowan County shall be empowered to appoint a successor to fill out the unexpired term. All acts done by said commissioners shall be done in the name of the Third Creek Drainage District, and the vote of a majority shall control.

Terms.

Appointment of
successors.

Commissioners to
act in name of
district.

Control by majority.

Powers.

SEC. 3. Said district shall have full power and authority to sue and be sued in the name: Third Creek Drainage District, to make and enter into contracts for the drainage of lands and all other contracts incidental thereto, to make assessments, and shall have all other powers of a drainage district as are provided by the General Drainage Laws for the State of North Carolina, which are not in conflict with the provisions of this Act.

Assessments.

SEC. 4. The said commissioners shall meet and shall fairly assess the benefits to each separate parcel of land in the said district for the purpose of raising money to dredge the said Third Creek and its tributaries within the said district.

Notice of assessments
against lands in
Rowan County.

SEC. 5. After the assessment is made by said commissioners, they shall mail a notice to the last known post office address of each property owner whose lands within said district are in Rowan County, giving the date of the assessment, the amount thereof, and notify him to appear before a meeting of said commissioners at the courthouse in Salisbury, North Carolina, on a date to be fixed in said notice, not later than thirty (30) days from the date of the said notice, and object or except to said assessment, if any objection he has. If objection is made by any property owner whose lands lie within said district in Rowan County, and an agreement is not made, he may appeal to the Superior Court of Rowan County, from said assessment, in the same manner as is provided for appeals from assessments

Contents.

Objection to
assessment.

Appeal to Superior
Court.

in the General Drainage Laws of the State of North Carolina. In case of an appeal by any objector, and the assessment is confirmed by the Superior Court, the said assessment shall be in full force and effect from the same date. After the hearing as above provided for, the said commissioners shall make and sign an order showing what assessments upon lands lying within said district in Rowan County theretofore made by them, are ratified, approved and confirmed.

SEC. 6. After the assessment is made by said commissioners, they shall mail a notice to the last known post office address of each property owner whose lands within said district are in Iredell County, giving the date of assessment, the amount thereof, and notify him to appear before a meeting of said commissioners at the courthouse in Statesville, North Carolina, on a date fixed in said notice, not later than thirty (30) days from the date of the said notice, and object or except to said assessment, if any objection he has. If objection is made by any property owner whose lands lie within said district in Iredell County, and agreement is not made, he may appeal to the Superior Court of Iredell County, from said assessment, in the same manner as is provided for appeals from assessments in the General Drainage Laws of the State of North Carolina. In case of an appeal by any objector, and the assessment is confirmed by the Superior Court, the said assessment shall be in full force and effect from the same date. After the hearing as above provided for, the said commissioners shall make and sign an order showing what assessments from lands lying within said district in Iredell County theretofore made by them, are ratified, approved and confirmed.

SEC. 7. It shall then be the duty of said commissioners to make up and prepare an assessment roll, or assessment sheet, for the lands lying within said district in Rowan County, and an assessment roll, or assessment sheet, for the lands lying within said district in Iredell County, on each of which shall appear the name of the person assessed, the number of acres of land assessed, the approximate location thereof, and the total amount of the assessment against said lands. The said assessment rolls, or sheets, for the lands lying within said district in Iredell County, shall be placed in the hands of the tax collector of Iredell County for collection. The assessment rolls, or sheets, for the lands lying within said district in Rowan County, shall be placed in the hands of the tax collector of Rowan County, for collection.

SEC. 8. The amount of the assessment as shown on the said assessment rolls, or sheets, shall be a lien on the property against which it is assessed from the time the said rolls, or sheets, are placed in the hands of the tax collector for Iredell County or Rowan County, as the case may be, who shall make a notation thereon showing said time and date, and shall have the same force and effect as a tax lien, and shall be collected

Effect of confirmation by Superior Court.

Confirmation of assessments by Commissioners after hearing.

Notice of assessments against lands in Iredell County.

Contents.

Objection to assessment.

Appeal to Superior Court.

Effect of confirmation by Superior Court.

Confirmation of assessments by Commissioners after hearing.

Preparation of assessment roll.

Contents.

Placed in hands of tax collectors of respective counties.

Amount shown on assessment rolls made lien against property assessed.

Effective date of lien.

Collection.

in the same manner as provided under the general laws of the State of North Carolina, for the collection of taxes.

Application of Sub-Chapter III, Ch. 94, Consolidated Statutes.

SEC. 9. Except as they may conflict with the provisions of this Act, the provisions of sub-chapter III, chapter ninety-four of the Consolidated Statutes of one thousand nine hundred nineteen and amendments thereto, shall be in full force and effect.

SEC. 10. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March A.D. 1937.

H. B. 1166

CHAPTER 592

AN ACT RELATING TO THE DRAINAGE OF SECOND CREEK IN ROWAN COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Second Creek Drain-
age District, Rowan
County, created.

SECTION 1. There is hereby created a drainage district to be known as Second Creek Drainage District in Rowan County comprising all land in the following boundaries: All the bottom lands under four feet above high water on Second Creek from the South Yadkin River up to the Statesville Road on North Carolina State Highway number ten.

Boundaries.

Appointment of
Commissioners.

SEC. 2. J. E. Hoffman, Carl Myers and W. A. Shuping, are hereby appointed commissioners of said district to act for the term of three years. Thereafter commissioners shall hold office for a term of three years to be appointed by the Clerk of the Superior Court. In the event that any of said commissioners resign or for any reason become incapacitated and unable to serve during their term, then their successors shall be appointed by the Clerk of the Superior Court, to serve during the unexpired part of the said term. All acts done by said commissioners shall be done in the name of the Second Creek Drainage District. The vote of a majority shall control.

Terms.

Appointment of
successors.

Acts of Commission-
ers in name of
district.

Control by majority.

Powers.

SEC. 3. Said district shall have full power and authority to sue and be sued, to make and enter into contracts for the drainage of land and all other contracts incidental thereto, to make assessments, and shall have all other powers of a drainage district as are provided by the General Drainage Laws for the State of North Carolina, which are not in conflict with the provisions of this Act.

Assessments.

SEC. 4. The said commissioners shall meet and shall fairly assess the benefits to each separate parcel of land in the said district (in such amount as they shall deem to be just and equitable) for the purpose of raising money to drain or dredge the said Second Creek and its tributaries within the said district.

Notice of
assessments.

SEC. 5. After the assessment is made by said commissioners, they shall mail a notice to the last known post office address of each property owner within said district, giving the date of the

assessment, the amount thereof, and notify him to appear before a meeting of the said commissioners at the Courthouse in Salisbury on a date to be fixed in said notice not later than thirty days from the date of said notice and object or except to said assessment, if any objection he has. If objection is made, by any property owner, and an agreement is not made, he may appeal to the Superior Court of Rowan County from said assessment in the same manner as is provided for appeals from assessments in the General Drainage Law of the State of North Carolina. All assessments made by said drainage commissioners shall be in full force and effect from and after the date of the hearing in the County Courthouse of Rowan County. In case of an appeal by any objectors and the assessment is confirmed by the Superior Court the said assessment shall be in full force and effect from the same date. After the hearing as above provided for, the said commissioners shall make and sign an order showing what assessments theretofore made by them are ratified, approved and confirmed.

SEC. 6. It shall then be the duty of the said commissioners to make up and prepare an assessment roll or assessment sheet on which shall appear the name of the person assessed, the number of acres of his land assessed, the approximate location thereof, and the total amount of the assessment against said land, which said assessment roll or sheets shall be placed in the hands of the Tax Collector of Rowan County for collection.

SEC. 7. The amount of the assessment, as shown on the said assessment roll or sheet shall be a lien on the property against which it is assessed from the time the said sheet is placed in the hands of the tax collector, who shall make a notation thereon showing said time and date, and shall have the same force and effect as a tax lien, and shall be collected in the same manner as is provided under the general laws of the State of North Carolina for the collection of taxes.

SEC. 8. Except as they may conflict with the provisions of this Act, the provisions of Sub-chapter III, chapter ninety-four of the Consolidated Statutes of one thousand nine hundred nineteen, and amendments thereto, shall be in full force and effect.

SEC. 9 This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March A.D. 1937.

Contents.

Objection to assessment.

Appeal to Superior Court.

Effective date of assessments.

Confirmation of assessments by Commissioners after hearing.

Preparation of assessment roll.

Contents.

Placed in hands of tax collector.

Assessments made lien against property.

Collection.

Application of Sub-chapter III, Ch. 94, Consolidated Statutes.

H. B. 1173

CHAPTER 593

AN ACT TO PROVIDE FOR THE DIVISION OF PROFITS ARISING FROM LIQUOR STORES IN HENDERSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That if and when an election is held in Henderson County under an Act entitled "An Act to provide for the

Division of profits from liquor stores established in Town of Hendersonville between town and Henderson County.

Conflicting laws repealed.

manufacture, sale and control of alcoholic beverages in North Carolina," passed by this General Assembly, and if in consequence one or more liquor stores are set up and operated in the Town of Hendersonville, then thirty per cent of the net profits arising from such stores operating in the Town of Hendersonville shall be paid into the General Fund of the Town of Hendersonville.

SEC. 2. That all laws and clauses of laws repugnant to the provisions of this Act be and they are modified accordingly, as applied to Henderson County.

SEC. 3. That this Act shall be in force and effect after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March A.D. 1937.

H. B. 1175

CHAPTER 594

AN ACT TO VALIDATE CERTAIN OFFICIAL ACTS OF THE ASSISTANT CLERK AND THE DEPUTY CLERK OF THE SUPERIOR COURT OF SURRY COUNTY.

Preamble: Fred Lewellyn appointed Assistant C. S. C., Surry County.

Whereas, Fred Lewellyn has heretofore been duly appointed Assistant Clerk of the Superior Court of Surry County, by the present clerk of the Superior Court and the appointment was duly approved by the Resident Judge of the Eleventh Judicial District; and,

John G. Lewellyn appointed deputy clerk.

Whereas, John G. Lewellyn has heretofore been duly appointed Deputy Clerk of the Superior Court of Surry County; and,

Present clerk re-elected to succeed himself continuously since 1920.

Whereas, the present clerk of the Superior Court of Surry County has been re-elected to succeed himself in office at each general election held since the year one thousand nine hundred twenty; and,

Continuation of said assistant and deputy to act without new appointments.

Whereas, the said assistant clerk and the said deputy clerk have continued to act in the official capacity of assistant clerk and deputy clerk respectively although new appointments have not been made during each term of office of said clerk; *Now, Therefore*,

The General Assembly of North Carolina do enact:

Official acts of Fred Lewellyn, as Assistant C. S. C., and of John G. Lewellyn, as Deputy C. S. C., validated.

SECTION 1. That all official acts of Fred Lewellyn as Assistant Clerk of the Superior Court of Surry County and all official acts of John G. Lewellyn as Deputy Clerk of the Superior Court of Surry County, done and performed since the appointment of said assistant and said deputy clerk be and the same are hereby confirmed and declared valid in the same manner as if said assistant clerk and said deputy clerk had been re-appointed during each term of office of the present clerk of the Superior Court of Surry County.

Pending litigation not affected.

SEC. 2. This Act shall not in any way affect pending litigation.

SEC. 3. That all laws in conflict herewith are hereby repealed.

Conflicting laws repealed.

SEC. 4. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March A.D. 1937.

H. B. 1180

CHAPTER 595

AN ACT TO AMEND CHAPTER ONE HUNDRED THREE OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-THREE SO AS TO INCREASE THE NUMBER OF TRUSTEES OF THE MORGANTON GRADED SCHOOL FROM FIVE TO NINE AND FIX THEIR TERMS OF OFFICE.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter one hundred three of the Private Laws of one thousand nine hundred thirty-three, amending section two of chapter one hundred seventy-four of the Public Laws of one thousand nine hundred five, be amended by striking out the word "five" in line three thereof, and inserting in lieu thereof the word "nine."

Ch. 103, Private Laws, 1933, amending Sec. 2, Ch. 174, Public Laws, 1905, amended.

SEC. 2. That section two of chapter one hundred three of the Private Laws of one thousand nine hundred thirty-three be amended as follows: After the word "men" in line three thereof, add, "or women," and strike out the word "three" in line six thereof, and insert in lieu thereof the word "five."

Trustees of Morganton Graded School increased to nine.

Ch. 103, Private Laws, 1933, further amended.

Women permitted as trustees.

Trustees of same party affiliation limited to five.

Appointment of additional trustees.

SEC. 3. That in addition to the trustees of the Morganton Graded School appointed by section two of chapter one hundred three of the Private Laws of one thousand nine hundred thirty-three, the following persons are hereby appointed as additional trustees and for the following terms: That Mrs. C. D. Hamilton shall serve as trustee from May first, one thousand nine hundred thirty-seven, to May first, one thousand nine hundred thirty-nine; that Mrs. Charles Ernest Walker and Mrs. F. P. Tate shall serve as trustees from May first, one thousand nine hundred thirty-seven to May first, one thousand nine hundred forty-one; that Russell Berry shall serve as trustee from May first, one thousand nine hundred thirty-seven to May first, one thousand nine hundred forty-three.

Names and terms.

SEC. 4. That it is the purpose of this Act to amend chapter one hundred seventy-four of the Public Laws of one thousand nine hundred five and chapter one hundred three of the Private Laws of one thousand nine hundred thirty-three, so as to provide for a board of nine trustees for the Morganton Graded School, who shall hold office for a period of six years each, except as set out in section two of chapter one hundred three of the Private Laws of one thousand nine hundred thirty-three, and of section three hereof, and that three members of said

Ch. 174, Public Laws, 1905, and Chapter 103, Private Laws, 1933, amended by express reference.

Board of nine trustees intended.

Terms.

Election of
successors.

Effective date.

Conflicting laws
repealed.

board of trustees shall be elected for the full term of six years every two years, beginning with the election of the members of the board of trustees for one thousand nine hundred thirty-nine; that if any one or more of the persons appointed in section three hereof shall for any reason fail to qualify, his, her, or their successor or successors, shall be elected at the regular election of trustees for one thousand nine hundred thirty-seven, and the person or persons so elected shall hold office for the term or terms of the person or persons who fail to qualify.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

SEC. 6. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

In the General Assembly read three times and ratified, this the 22nd day of March A.D. 1937.

H. B. 1182

CHAPTER 596

AN ACT TO AUTHORIZE THE GOVERNING BOARDS OF THE COUNTY OF MECKLENBURG AND THE CITY OF CHARLOTTE TO ADJUST DELINQUENT TAXES, INCLUDING PENALTIES AND INTEREST THEREON FOR THE YEARS NINETEEN HUNDRED THIRTY-FOUR AND THE YEARS PRIOR THERETO.

The General Assembly of North Carolina do enact:

Adjustment of delinquent taxes, penalties, etc., Mecklenburg County and municipalities therein, authorized.

Schedule of adjustments.

1928-1934, inclusive.

1927 and prior years.

SECTION 1. That the governing bodies of the County of Mecklenburg and the cities and towns therein are hereby empowered and authorized to adjust delinquent taxes and penalties, interests, and advertising costs thereon applicable to the years one thousand nine hundred and thirty-four and prior thereto in accordance with the following schedule: For the years one thousand nine hundred and thirty-four through one thousand nine hundred and twenty-eight inclusive may grant a ten per cent (10%) discount after the interests, all penalties and costs have been added to the principal amount of said taxes. The ten per cent (10%) discount which may be allowed shall be only ten per cent (10%) of the total of all principal, interest, penalties, and costs. For the year one thousand nine hundred and twenty-seven and the years prior thereto may grant a twenty per cent (20%) discount after the interest, all penalties and costs have been added to the principal amount of said taxes. The twenty per cent (20%) discount which may be allowed shall be only twenty per cent (20%) of the total of all principal, interest, penalties, and costs.

Prerequisite for obtaining adjustment.

SEC. 2. The provisions of this Act shall not apply to any delinquent taxpayer unless said taxpayer pays all taxes that he may owe including the current years taxes at the time the payment is made.

SEC. 3. The provisions of this Act shall apply only to Mecklenburg County and the cities and towns therein.

SEC. 4. That all laws or parts of laws in conflict with this Act are hereby repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March A.D. 1937.

Applies only to Mecklenburg County and municipalities therein.
Conflicting laws repealed.

H. B. 1183

CHAPTER 597

AN ACT TO FIX THE RATE OF INTEREST WHICH MAY BE CHARGED BY THE COUNTY OF MECKLENBURG AND THE CITY OF CHARLOTTE ON DELINQUENT TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. That all taxes due after the first day of October, one thousand nine hundred and thirty-seven, for the current year and thereafter, shall be subject after February first, one thousand nine hundred and thirty-eight, to a penalty or interest rate of one-half per cent per month: *Provided*, that no interest or penalty shall exceed annually the rate of six per centum.

SEC. 2. That House Bill number three hundred and forty-five, introduced in the year one thousand nine hundred and thirty-seven in the General Assembly, or any of its provisions, or any other laws or clauses of laws, insofar as the same are in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall apply only to Mecklenburg County and the cities and towns therein.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March A.D. 1937.

Penalties and interest charged on certain taxes, Mecklenburg County and municipalities therein.

Conflicting laws repealed.

Applies only to Mecklenburg County and municipalities therein.

H. B. 1188

CHAPTER 598

AN ACT TO ENABLE THE COUNTY OF WAKE AND THE CITY OF RALEIGH TO CONSOLIDATE THEIR WELFARE ACTIVITIES AND TO PROVIDE FOR THE APPOINTMENT AND TO DESIGNATE CERTAIN DUTIES OF THE COUNTY BOARD OF CHARITIES AND PUBLIC WELFARE FOR WAKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That from and after the ratification of this Act the County Board of Charities and Public Welfare in Wake County shall consist of three members appointed as follows:

Membership of Wake County Board of Charities and Public Welfare.

Appointment of members.	One by the Board of County Commissioners of Wake County, one by the Board of Commissioners of the City of Raleigh and one by the State Board of Charities and Public Welfare for the purpose of coordinating the welfare activities of Wake County and the City of Raleigh.
Purpose.	
Time of initial appointments.	As soon as practicable after the ratification of this Act the respective appointments shall be made: <i>Provided, however</i> , that in order to secure the overlapping of terms of office and to give continuity of policy, at the first appointment there shall be selected by the Board of County Commissioners for Wake County one member for a period of three years, and by the Board of Commissioners for the City of Raleigh one member for a period of two years and by the State Board of Charities and Public Welfare one member for a period of one year, and at the expiration of the terms of those for a period of less than three years each their successors shall be appointed for a term of three years each so that thereafter the terms of each member of the board shall be a term of three years.
Staggered terms.	
Appointment of successors.	
Terms.	
Powers and duties.	The County Board of Charities and Public Welfare shall have the duty of appointing a County Superintendent of Welfare; the said board shall act in an advisory and functional capacity to the county and municipal authorities in developing policies and plans, in dealing with problems of dependency and delinquency, distribution of the poor fund and in regard to social conditions generally, and shall have such other powers and duties as are prescribed by law and particularly those set out in the laws pertaining to Social Security, Old Age Assistance and Aid to Dependent Children. The members of the board herein created shall serve without compensation.
Compensation.	
Appointment of County Superintendent of Public Welfare.	SEC. 2. On the first Monday in June, one thousand nine hundred and thirty-seven, and thereafter as a vacancy occurs the Board of Charities and Public Welfare for Wake County shall appoint a County Superintendent of Public Welfare, who shall serve at the will of said board and who shall select such qualified assistants as may be employed to perform the duties of the Board of Charities and Public Welfare. The person appointed County Superintendent of Public Welfare shall be qualified by character, fitness and experience to discharge the duties of the office. The person so appointed Superintendent of Public Welfare, after the appointment has been approved by the State Board of Charities and Public Welfare, shall begin his or her work within thirty days after the appointment or as soon thereafter as such approval is made. The County Superintendent of Public Welfare shall receive such salary as may be determined upon and fixed by the Board of Charities and Public Welfare for Wake County subject to the approval of the Board of County Commissioners of Wake County. The salary so fixed shall be paid by Wake County: <i>Provided</i> , that if financial conditions render it necessary the State Board may cause to be paid, out of any state or Federal funds available for the purpose, such portion of the salary of the Superintendent of Welfare as in the
Tenure.	
Assistants.	
Qualifications of Superintendent.	
Time of beginning service.	
Salary.	

discretion of the State Board may be necessary. The levy of taxes for the special purpose of the payment of the salary of the County Superintendent of Welfare is hereby authorized and directed.

Special tax levy authorized.

SEC. 3. All laws and clauses of laws in conflict herewith are hereby repealed.

Conflicting laws repealed.

SEC. 4. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March A.D. 1937.

H. B. 1202

CHAPTER 599

AN ACT TO AMEND CHAPTER THREE HUNDRED AND FIFTEEN, PUBLIC-LOCAL LAWS, ONE THOUSAND NINE HUNDRED AND THIRTY-ONE, RELATING TO SALARY OF THE SHERIFF OF NASH COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section five of chapter three hundred and fifteen, of the Public-Local Laws of one thousand nine hundred and thirty-one, be and the same is hereby amended by striking out the words "not to exceed the income derived from said office by the county" in the last two lines of said section.

Ch. 315, Public-Local Laws, 1931, amended, removing limitation on salary of Sheriff, Nash County.

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March A.D. 1937.

H. B. 1207

CHAPTER 600

AN ACT TO AMEND CHAPTER FORTY, OF THE PUBLIC-LOCAL AND PRIVATE LAWS OF NORTH CAROLINA, SESSION OF ONE THOUSAND NINE HUNDRED AND TWENTY-NINE, BY INCLUDING BRUNSWICK COUNTY UNDER THE PROVISIONS OF THE SAID CHAPTER RELATIVE TO AGRICULTURAL TENANCIES.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter forty of the Public-Local and Private Laws of the General Assembly of North Carolina, session of one thousand nine hundred and twenty-nine, be, and the same is hereby amended by inserting between the word "Columbus" and the word "and" in section five, line two, the word "Brunswick, and the words Bladen and Anson Counties."

Ch. 40, Public-Local Laws, 1929, relating to agricultural tenancies, amended, making Chapter applicable to Brunswick, Bladen and Anson Counties.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March A.D. 1937.

H. B. 1216

CHAPTER 601

AN ACT TO AMEND CHAPTER FIVE HUNDRED FIFTY-NINE, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-FIVE, RELATIVE TO THE ISSUANCE OF SCHOOL BUILDING BONDS IN BEHALF OF SCHOOL DISTRICTS AND SPECIAL BOND TAX UNITS AND THE LEVY OF TAXES WITHIN SUCH DISTRICTS AND UNITS FOR THE PAYMENT OF THE PRINCIPAL AND INTEREST OF SUCH BONDS AND MAKING SAID ACT APPLICABLE TO FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

Ch. 559, Public-Local Laws, 1935, H. B. 1213, relative to issuance of school building bonds, amended, making chapter applicable to Franklin County.

SECTION 1. That chapter five hundred fifty-nine, Public-Local Laws of one thousand nine hundred thirty-five, being House Bill number one thousand two hundred thirteen, be and the same is hereby amended by changing the period at the end of section eleven to a comma and adding the following: "and Franklin County."

Conflicting laws repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March A.D. 1937.

H. B. 1222

CHAPTER 602

AN ACT ALLOCATING THE PROFITS FROM THE ALCOHOLIC BEVERAGE CONTROL STORES OF HARNETT COUNTY IF AND IN THE EVENT ALCOHOLIC BEVERAGE CONTROL STORES SHALL BE ESTABLISHED IN SAID COUNTY UNDER THE PROVISIONS OF HOUSE BILL FIFTY-FIVE IN THE PUBLIC LAWS ONE THOUSAND NINE HUNDRED AND THIRTY-SEVEN, RATIFIED FEBRUARY TWENTY-SECOND, ONE THOUSAND NINE HUNDRED AND THIRTY-SEVEN.

The General Assembly of North Carolina do enact:

Division of profits from liquor stores established in towns in Harnett County between respective towns and county.

SECTION 1. If and in the event Alcoholic Beverage Control stores are set up and operated pursuant to the terms and provisions of House Bill fifty-five, of the Public Laws of one thousand nine hundred and thirty-seven, ratified February twenty-second, one thousand nine hundred and thirty-seven, known as "The Alcoholic Beverage Control Act," the net profits received from said Alcoholic Beverage Control stores shall be paid out by the Alcoholic Beverage Control Board of Harnett County to the general fund of said county, and to the respective boards of towns in which an Alcoholic Beverage Control store may be located as follows: Eighty-five (85%) per cent of the net profits

to be paid to the general fund, and the remaining fifteen (15%) per cent to be paid to the boards of the town commissioners of the town or towns in Harnett County in which said Alcoholic Beverage Control store, or stores, may be operated; said disbursements to be made by said Alcoholic Beverage Control Board at least quarterly: *Provided, however*, that said County Alcoholic Beverage Control Board may retain sufficient funds on hand that may be necessary to discount current bills.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after the establishment of Alcoholic Beverage Control Board in and for the County of Harnett.

In the General Assembly read three times and ratified, this the 22nd day of March A.D. 1937.

Disbursements.

Retention of funds for discounting current bills.

Conflicting laws repealed.

Effective date.

H. B. 1226

CHAPTER 603

AN ACT TO PERMIT THE SALE AND USE OF HOG CHOLERA VIRUS IN PERQUIMANS COUNTY UNDER CERTAIN CONDITIONS.

The General Assembly of North Carolina do enact:

SECTION 1. That the Farm Demonstration Agent of Perquimans County shall select suitable and qualified persons, not more than one from each township, and grant permission to such persons in writing to distribute, sell, or use virulent blood from hog-cholera-infected hogs, or virus, in Perquimans County, such appointments made by Farm Demonstration Agent to be approved by the Board of County Commissioners. The Farm Demonstration Agent shall have authority to fix the rate of compensation to be paid such persons and shall have the authority to revoke the permission granted any such person or persons. In addition to such persons as may be selected by the Farm Demonstration Agent of Perquimans County and approved by the board of County Commissioners, as provided for in this Act, any and all of the Vocational Teachers of Agriculture in the schools of Perquimans County shall be permitted to vaccinate or inoculate hogs in said county with virus or virulent blood from the hog-cholera-infected hogs and for such purpose shall be permitted to buy, sell, distribute and use said virus or virulent blood from hog-cholera-infected hogs.

Selection of persons to distribute, sell, and use virus against hog-cholera in Perquimans County.

Compensation.

Vocational Teachers of Agriculture permitted to vaccinate hogs.

Authority to sell, distribute and use virus.

SEC. 2. That the provisions of section four thousand four hundred and ninety-two of the Consolidated Statutes of North Carolina and of section four thousand eight hundred and seventy-nine of the Consolidated Statutes of North Carolina shall not apply to any person distributing, selling or using virulent blood from hog-cholera-infected hogs or virus in Perquimans County with the written permission of the Farm Demonstration

C. S. 4492 and C. S. 4879 not applicable.

Agent of Perquimans County, and shall not apply to any of the Vocational Teachers of Agriculture in the schools of Perquimans County when they are buying, selling, distributing and using said virus or virulent blood from hog-cholera-infected hogs for the purpose of vaccinating or inoculating hogs in said county.

Applies only to
Perquimans County.
Conflicting laws
repealed.

SEC. 3. That this Act shall apply only to Perquimans County.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this Act to the extent of such conflict are hereby repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March A.D. 1937.

H. B. 1230

CHAPTER 604

AN ACT AUTHORIZING COUNTIES AND MUNICIPALITIES TO SELL LANDS ACQUIRED AT THE FORECLOSURE SALE OF TAX SALE CERTIFICATES AND TAX LIENS WITHOUT ADVERTISING.

The General Assembly of North Carolina do enact:

Private sale of
property acquired by
Cherokee County
and municipalities
therein at tax fore-
closures, to former
owners, authorized.

Prerequisite
proceedings.

Execution of deed
to purchaser.

Acknowledgment and
registration of deed.

Right of public
sale preserved.

SECTION 1. It shall be lawful for counties and other municipalities, acquiring title to any lot, tract or parcel of land by purchase at the foreclosure sale of any tax sale certificate or any tax lien, to sell the same at private sale to the owner at the time of foreclosure, or his heirs at law if such former owner be dead, without the expense and delay of advertising said sale: *Provided*, that the Board of Commissioners of any county, or the Board of Aldermen or Commissioners or other governing body of any municipality, shall first pass a resolution or order authorizing such sale, and in such resolution or order giving the description of the land to be sold, which resolution or order shall be spread upon the minutes of the Board of Commissioners or Board of Aldermen of any such county or municipality.

SEC. 2. That any deed made for land purchased as provided by section one hereof shall be signed by the chairman or chief officer of any Board of County Commissioners and attested by the clerk of such board, together with the seal of such county; any such deed made by any municipality shall be signed by the mayor or chief officer of such municipality and attested by the Clerk of such municipality, together with the seal thereof.

SEC. 3. Any and all deeds executed under the provisions of this Act shall be duly proven or acknowledged and ordered registered as provided for other deeds.

SEC. 4. That this Act shall not have the effect of preventing said county, or municipality, from making public sale of lands conveyed to such county, or municipality, unless the former own-

er shall tender the amount of the taxes upon such property, with penalty, if any, and interest and costs, prior to a sale of such property at public sale, as provided by law.

SEC. 5. That this Act shall apply only to Cherokee County.

SEC. 6. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Applies only to Cherokee County.
Conflicting laws repealed.

SEC. 7. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1235 CHAPTER 605

AN ACT TO PROHIBIT THE SALE OF BEER, WINE OR ANY OTHER INTOXICATING LIQUORS WITHIN TWO MILES OF THE SOUND SIDE FREEWILL BAPTIST CHURCH IN TYRRELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm or corporation to sell or offer for sale any beer, wine or other intoxicating liquors within two miles of the Sound Side Freewill Baptist Church in Tyrrell County.

Sale of intoxicating beverages within certain locality, Tyrrell County, prohibited.

SEC. 2. That any person, firm or corporation violating the provisions of this Act shall be guilty of a misdemeanor and fined or imprisoned in the discretion of the court.

Violation made misdemeanor.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1237 CHAPTER 606

AN ACT TO AMEND CHAPTER ONE HUNDRED EIGHTY-THREE OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND ONE RELATIVE TO THE CHARTER OF THE TOWN OF LEAKSVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That section thirteen of chapter one hundred eighty-three, Private Laws of one thousand nine hundred and one, be stricken out, and the following substituted in lieu thereof:

Ch. 183, Private Laws, 1901, amended.

"The Mayor and the Board of Commissioners of the Town of Leaksville shall receive as their compensation such salary or

Salary of Mayor and Commissioners of Town of Leaksville.

Limitation of amount.

Compensation of other officers and employees.

Conflicting laws repealed.

fees as the Town Commissioners may determine; *provided*, that in no case shall the salary of the Mayor or Town Commissioners exceed three hundred dollars (\$300.00) per year. That, as to the other employees, officers, or officials of the said town, their compensation shall be fixed and determined by the Board of Commissioners of the said Town of Leaksville."

SEC. 2. All laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1241

CHAPTER 607

AN ACT TO AMEND AND CLARIFY CHAPTER THIRTY-FOUR PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-THREE RELATIVE TO THE COMPENSATION OF THE SHERIFF AND TAX COLLECTOR OF SWAIN COUNTY.

The General Assembly of North Carolina do enact:

Ch. 34, Public-Local Laws, 1933, amended.

Fees and commissions allowed Sheriff, Swain County.

Collections included as basis of commissions.

Compensation in lieu of commissions on tax sale certificates.

SECTION 1. That section one of chapter thirty-four Public-Local Laws of one thousand nine hundred thirty-three, be, and the same is hereby stricken out, and the following is substituted in lieu thereof:

"That the Sheriff of Swain County shall receive the fees of his office as sheriff, and the sheriff as tax collector shall receive in lieu of any salary the following commission on taxes collected: on the first fifty thousand dollars collected the sheriff shall receive two per cent; on the second fifty thousand dollars collected the sheriff shall receive three per cent; and on collections in excess of one hundred thousand dollars the sheriff shall receive three and one-half per cent. It is expressly provided that this Act shall include all money collected from taxes made by taxpayers on advanced payments paid to the county accountant for the current year before the books are made up and turned over to the sheriff; and shall include all moneys collected by the sheriff and turned into the county treasury or the official depository for Swain County up to the settlement of the sheriff with the County Board of Commissioners of Swain County as now provided by law. It is further provided that in said settlement the sheriff shall not receive any commission on tax sale certificates; but in lieu thereof shall receive the regular compensation now allowed sheriffs and tax collectors, under the Public Laws of the state, for preparing and making up the said land sale certificates."

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1242

CHAPTER 608

AN ACT PROVIDING FOR ADDITIONAL SITTINGS OF THE COUNTY COURT OF STANLY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That in addition to the times now provided by law for the sittings of the County Court of Stanly County that said court shall be open for trial of criminal cases over which it now has or may hereafter have final, concurrent, exclusive or binding jurisdiction on each and every Friday and Saturday morning at ten a. m., at the courthouse in Albemarle, or at such other place in Albemarle as may be designated by the County Commissioners of Stanly County; *Provided*, that nothing herein shall prevent the court from trying civil cases also on Friday of each week as now provided by law.

Additional sittings of County Court of Stanly County, provided for trial of criminal cases.

Trial of civil cases.

SEC. 2. That in addition to the salary now paid the Judge of the County Court for Stanly County he shall receive the sum of three hundred dollars (\$300.00) per year to be paid monthly by Stanly County as his present salary is now paid.

Salary of Judge increased.

SEC. 3. That in addition to the salary now paid the Prosecuting Attorney for the County Court of Stanly County he shall receive the sum of three hundred dollars (\$300.00) per year to be paid monthly by Stanly County as his present salary is now paid.

Prosecuting Attorney's salary increased.

SEC. 4. That all laws and clauses of laws in conflict with this Act be and the same are hereby repealed.

Conflicting laws repealed.

SEC. 5. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1246

CHAPTER 609

AN ACT TO AMEND SECTION FOUR THOUSAND THREE HUNDRED SEVENTY-EIGHT OF THE CONSOLIDATED STATUTES, RELATING TO RESISTING OFFICERS, IN WARREN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That if any person shall willfully and unlawfully resist, delay or obstruct a public officer in Warren County from discharging or attempting to discharge a duty of his office, he

Willful resistance, etc. of public officer, Warren County, made misdemeanor.

Punishment.

shall be guilty of a misdemeanor, and upon conviction shall be fined a minimum of twenty-five dollars (\$25.00) and costs or six months in prison, or both or a maximum fine of seventy-five dollars (\$75.00) and costs or twelve months in prison, or both.

Applies only to
Warren County.
Conflicting laws
repealed.

SEC. 2. This Act shall apply only to Warren County.

SEC. 3. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1250

CHAPTER 610

AN ACT TO AMEND HOUSE BILL ONE HUNDRED THIRTY-NINE, ENTITLED, "AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF COLUMBUS COUNTY TO ISSUE BONDS FOR THE PURPOSE OF BUILDING AND EQUIPPING A COUNTY HOME, SUBJECT TO AN ELECTION TO BE HELD FOR SUCH PURPOSE," RATIFIED THE FIFTH DAY OF FEBRUARY, ONE THOUSAND NINE HUNDRED THIRTY-SEVEN.

The General Assembly of North Carolina do enact:

H. B. 139, Ch. 41,
Public-Local Laws,
1937, amended,
prescribing maximum
amount of County
Home bonds,
Columbus County.

SECTION 1. That House Bill one hundred thirty-nine, entitled "An Act to authorize the Board of Commissioners of Columbus County to issue bonds for the purpose of building and equipping a county home, subject to an election to be held of such purpose," ratified the fifth day of February, one thousand nine hundred thirty-seven, be and the same is hereby amended by inserting after the word "exceed" and before the word "five," in section four, the words and figures "thirty thousand dollars (\$30,000.00). The said bonds shall bear a rate of interest not to exceed"; and by inserting between the words "shall" and "be," in section seven, the word "not."

Election on question
of bond issue
validated.

SEC. 2. That the results of the election which was held on March the ninth, A.D., one thousand nine hundred thirty-seven, on the question of issuing the bonds for the purpose of erecting and equipping a county home is hereby validated and is confirmed.

Conflicting laws
repealed.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1260

CHAPTER 611

AN ACT TO MAKE THE SOLICITOR OF THE RECORDER'S COURT OF WARREN COUNTY ASSISTANT SOLICITOR TO THE SUPERIOR COURT OF WARREN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Solicitor of the Recorder's Court in and for the County of Warren, be, and as such is hereby made Assistant Solicitor to the Superior Court in and for the County of Warren, North Carolina.

Solicitor of Warren County Recorder's Court, appointed Assistant Solicitor of Warren Superior Court.

SEC. 2. That as compensation the said assistant solicitor shall receive, payable out of the general fund, such amount as the Board of County Commissioners of said county shall decide, and the amount of such compensation may be changed by said board from time to time.

Compensation.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1262

CHAPTER 612

AN ACT TO AMEND CHAPTER SEVENTY-TWO OF THE PUBLIC-LOCAL LAWS OF THE EXTRA SESSION OF ONE THOUSAND NINE HUNDRED TWENTY-FOUR, RELATIVE TO RURAL POLICEMEN IN MONTGOMERY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter seventy-two of the Public-Local Laws of the extra session of one thousand nine hundred twenty-four, be, and the same, is hereby repealed.

Ch. 72, Public-Local Laws, Extra Session, 1924, repealed.

SEC. 2. That C. C. Wright, be, and he is hereby, named and appointed rural policeman for Montgomery County, North Carolina, to serve at the will of the County Commissioners of said county. That his successor or successors in office shall be appointed by the said Board of County Commissioners of Montgomery County, who shall have the power, in their discretion, to discharge and fill the vacancy of such office.

Appointment of rural policeman for Montgomery County.

Appointment of successors.

Removal.

Vacancy appointments.

Duties.

Compensation.

SEC. 3. That it shall be the duty of the said C. C. Wright and his successors in office, chosen as hereinbefore provided, to serve as rural policeman for the County of Montgomery, and shall receive as compensation for such services all fees as are now provided by law for the service of process or other papers duly directed and delivered to him for service. That, the jurisdiction of the rural policemen provided for in this Act shall be county-wide.

Jurisdiction.

Conflicting laws
repealed.

SEC. 4. All laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 5. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1263

CHAPTER 613

AN ACT TO PROVIDE TRAVEL EXPENSE FOR THE SHERIFF OF BRUNSWICK COUNTY.

The General Assembly of North Carolina do enact:

Travel expense
allowance for
Sheriff, Brunswick
County.

SECTION 1. That the Board of Commissioners of Brunswick County be and they are hereby authorized and directed to pay to the sheriff of said county the sum of thirty dollars (\$30.00) a month as an allowance for travel expense incurred in performance of his duties as sheriff, the same to be in addition to the salary now allowed said sheriff.

Conflicting laws
repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1277

CHAPTER 614

AN ACT AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS FOR LENOIR COUNTY TO FURNISH THE REGISTER OF DEEDS AND THE CLERK OF THE SUPERIOR COURT AND THE SHERIFF CLERICAL ASSISTANTS.

The General Assembly of North Carolina do enact:

Clerical assistants
for Register of
Deeds, C. S. C. and
Sheriff, Lenoir
County, authorized.

SECTION 1. That the Board of County Commissioners for Lenoir County are hereby authorized and empowered in their discretion to pay the Register of Deeds, the Clerk of Superior Court and the Sheriff of said county a sum to be fixed by said Board of County Commissioners for the purpose of hiring clerical assistants in said offices.

Conflicting laws
repealed.

SEC. 2. That all laws in conflict with this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1279

CHAPTER 615

AN ACT TO FIX THE OFFICER'S FEE FOR MAKING ARRESTS IN CRIMINAL CASES IN CABARRUS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That in lieu of the fee now allowed by law, the sheriff or other law enforcement officer of Cabarrus County shall receive a fee of two dollars (\$2.00) for making arrests in criminal cases.

SEC. 2. That this Act shall not have the effect of granting the fee to any officer who does not now receive the fee taxed as a part of the cost.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

Fees of Sheriff and other officers of Cabarrus County, for making arrests in criminal cases.

Clarification of intent of Act.

H. B. 1285

CHAPTER 616

AN ACT TO AMEND HOUSE BILL TWO HUNDRED AND TWENTY-ONE, THE SAME BEING ENTITLED "AN ACT AUTHORIZING ELECTIONS BY SCHOOL DISTRICTS IN BUNCOMBE COUNTY FOR THE PURPOSE OF SUPPLEMENTING STATE SCHOOL FUNDS," RATIFIED MARCH NINTH, ONE THOUSAND NINE HUNDRED AND THIRTY-SEVEN, SO AS TO INCLUDE WAKE COUNTY IN THE PROVISIONS OF SAID ACT.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of House Bill number two hundred and twenty-one, ratified March ninth, one thousand nine hundred and thirty-seven, be and the same is hereby amended by inserting the words "or the Wake County administrative school unit," after the word "unit" and before the word "is" in line two in said section.

SEC. 2. That section two of House Bill number two hundred and twenty-one, be and the same is hereby amended, by inserting the words "and/or Wake County" after the words "Buncombe County" and before the comma in line two, and by inserting the words "and/or the Board of Education of Wake County" after the word "County" and before the comma in line five, and by inserting the words "and/or Wake County" after the words "Buncombe County" and before the word "thereby" in line five, and by inserting the words "and/or the Wake County administrative unit" after the words "Buncombe County administrative unit" and before the comma in line seven of said section.

Sec. 1, H. B. 221, Ch. 208, Public Local Laws, 1937, amended, making Buncombe County School Supplement Act applicable to Wake County.

Sec. 2, amended. State School Commission, with advice of County Board of Education, to re-district Wake County.

Sec. 3, amended,
providing for school
district elections in
Wake County, on
levy of tax to pro-
vide supplemental
funds.

SEC. 3. That section three of said House Bill number two hundred and twenty-one, be and the same is hereby amended, by inserting the words "and/or Wake County administrative unit" after the word "unit" and before the word "may" in line three, and by inserting the words "or the Board of Education of Wake County as the case may be," after the word "County" and before the word "for" in line four, and by inserting the words "or Wake County as the case may be" after the words "Buncombe County" and before the comma in line eight, and by inserting the words "or the Board of Education of Wake County as the case may be," after the words "Buncombe County" and before the word "the" in line nineteen of said section.

Sec. 6, amended.
Construction of Act
as limitation on ex-
isting taxing powers.

SEC. 4. That section six of House Bill number two hundred and twenty-one, be and the same is hereby amended by inserting the words "or Wake County" after the words "Buncombe County" and before the comma in line three of said section.

Sec. 7, amended.
Act applicable to
Wake County.

SEC. 5. That section seven of House Bill number two hundred and twenty-one, be and is hereby amended by inserting the words "and Wake County" after the words "Buncombe County" and before the period at the end of said section.

Conflicting laws
repealed.

SEC. 6. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 7. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

S. B. 407

CHAPTER 617

AN ACT TO PROHIBIT THE SALE OF WINE, BEER AND INTOXICATING BEVERAGES WITHIN ONE-HALF MILE OF LOVE'S CHURCH, MIDDLEFORK TOWNSHIP, FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

Sale of intoxicating
liquors within cer-
tain locality in
Middlefork Town-
ship, Forsyth Coun-
ty, prohibited.

SECTION 1. That it shall be unlawful for any person, firm or corporation to offer for sale or sell any wine, beer, ale, and/or intoxicating beverages or liquors within the area defined as a radius of one-half mile in any direction from the point where Love's Methodist Episcopal Church, South, in Middlefork Township, Forsyth County, is located.

Violation made
misdemeanor.

SEC. 2. That any person violating this Act shall be guilty of a misdemeanor and fined or imprisoned in the discretion of the court.

Applies only to
locality in Forsyth
County defined.

SEC. 3. That this Act shall apply only to the locality in Forsyth County as defined in section one of this Act.

Conflicting laws
repealed.

SEC. 4. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 5. That this Act shall be in full force and effect from and after June first, one thousand nine hundred and thirty-seven. Effective date.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

S. B. 443

CHAPTER 618

AN ACT TO PROVIDE FOR THE DISTRIBUTION OF PROFITS FROM THE OPERATION OF LIQUOR STORES IN UNION COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That in the event that liquor control stores are operated in Union County the Board of County Commissioners of Union County shall have the power and authority to pay to the municipality or municipalities in which said store or stores may be operated not exceeding twenty-five per cent (25%) of the net profits received by the county from the operation of liquor control store or stores within the respective cities or towns.

Share of profits from liquor stores established in municipalities in Union County, payable to respective municipalities.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

S. B. 483

CHAPTER 619

AN ACT TO PROVIDE FOR THE DISTRIBUTION OF PROFITS FROM THE OPERATION OF LIQUOR STORES IN MARTIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. From the profits of any liquor stores which are or may hereafter be operated in Martin County, the treasurer of said county shall, at the end of each quarterly period after an accounting has been received by him from the County Board of Alcoholic Control, pay over to the treasurer of each incorporated city or town within the county, in which is located a liquor store, twenty per cent (20%) of the net profits received by the county from the operation of a liquor store or stores within such incorporated city or town.

Share of profits from liquor stores established in municipalities in Martin County payable to respective municipalities.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

S. B. 485

CHAPTER 620

AN ACT TO AMEND CHAPTER ONE HUNDRED NINETY-SEVEN OF THE PRIVATE LAWS OF NORTH CAROLINA OF ONE THOUSAND NINE HUNDRED SEVEN RELATING TO THE CHARTER OF THE TOWN OF GARNER.

The General Assembly of North Carolina do enact:

Ch. 197, Private Laws, 1907, amended.

Extension of corporate limits of Town of Garner.

Act effective upon ratification by majority of voters within area.

Calling and conduct of election.

Conflicting laws repealed.

SECTION 1. That section two of chapter one hundred ninety-seven of the Private Laws of North Carolina of one thousand nine hundred seven be amended by striking out in line six thereof the words "one-half mile" and inserting in lieu thereof the words "three-fourths of a mile."

SEC. 2. That this Act shall become effective from and after its ratification by a majority of the voters of the legal residents residing within the area specified in section one hereof. Said election shall be held and conducted under the terms and conditions set forth under proper and lawful ordinances to be enacted by the Board of Commissioners of the Town of Garner, if and when they may, in the interest of the said Town of Garner, decide to act on same.

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

H. B. 409

CHAPTER 621

AN ACT TO REPEAL CHAPTER TWO HUNDRED AND FIFTY-THREE, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE, RELATING TO THE JURISDICTION OF CONSTABLES IN GREENE COUNTY.

The General Assembly of North Carolina do enact:

Ch. 253, Public-Local Laws, 1935, relating to jurisdiction of Constables in Greene County, repealed.

SECTION 1. That chapter two hundred and fifty-three, Public-Local Laws of one thousand nine hundred and thirty-five, being an Act relating to the jurisdiction of Constables in Greene County, be and the same is hereby repealed.

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

H. B. 727

CHAPTER 622

AN ACT TO CREATE THE OFFICE OF TAX COLLECTOR FOR ROCKINGHAM COUNTY, AND TO FIX THE SALARY OF THE SHERIFF OF SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. The Board of County Commissioners of Rockingham County is hereby authorized and empowered, in its discretion, to create the office of Tax Collector for Rockingham County, and in the event such office is created, said board is further authorized and empowered to appoint some suitable and competent person as Tax Collector, who shall serve for a term of two years from the date of his appointment or until his successor has been appointed and qualified.

The said board is further authorized and empowered to fix the salary of said Tax Collector, in the event the office is created, not to exceed the sum of three thousand (\$3,000.00) dollars per year. The Tax Collector appointed under the provisions of this Act for the collection of taxes shall immediately take over the duty of collecting all current, as well as all delinquent taxes and levies.

SEC. 2. The Tax Collector, before entering upon the discharge of his duties, shall take and subscribe the oath prescribed by statute for other county officers, to truly, faithfully, and impartially discharge the duties of Tax Collector to the best of his skill and ability; and he shall give the bond now required by law for sheriffs acting as Tax Collector and the expenses and cost in giving said bond shall be paid by the county out of the general fund. Upon his appointment, all the powers, duties, and liabilities now pertaining to the Sheriff of the County as Tax Collector, regarding the collection, custody, disposition of, turning over, and accounting for moneys, distraint, advertisement, sale, and in all other respects pertaining to said matters which are now given, or shall hereafter be given, designated or required of sheriffs in the performance of similar duties, shall be conveyed upon, given to, and required of said Tax Collector. He shall make the reports now required of the Sheriffs as Tax Collector, and be subject to the same rules and regulations.

SEC. 3. That the Tax Collector appointed under the provisions of this Act shall be subject to be removed during term on account of determined incompetency, failure to discharge his duties, or for other acts or neglect of duty rendering him unfit to discharge the duties of said office. Removal from office under this section for cause shall be made by the Board of County Commissioners upon approval of the resident Judge of the Superior Court of the district.

SEC. 4. That in the event a Tax Collector is appointed under the provisions of this Act, it shall be his duty as said Tax Collector to use due diligence and make faithful efforts to collect

Creation of office of Tax Collector, Rockingham County, authorized.

Appointment of Tax Collector.

Term.

Salary.

Duties.

Oath.

Bond.

Powers and duties of Sheriff as tax collector transferred to Tax Collector.

Reports.

Removal.

Duties.

Collection of taxes. Accounting.	all taxes, both current and delinquent, as and when the collection thereof is contemplated by law, and to faithfully account for such collections, and at the proper time to turn the same over to the Treasury of the County and/or other proper legal authority.
Monthly itemized statements.	SEC. 5. That the Tax Collector herein provided for shall present to the Board of County Commissioners at each regular monthly meeting of said board a full and itemized statement of all taxes collected by him, and the disposition of the same since the last previous meeting of the board. It is further provided that said Tax Collector shall deposit daily all tax moneys collected in the designated depositories which the County Commissioners may name and the said County Commissioners shall require duplicate deposit slips to be mailed daily to the County Auditor or to any other person which the commissioners may require.
Daily deposits of funds collected.	
Duplicate deposit slips mailed daily to proper official.	
Upon appointment of Tax Collector, Sheriff placed on salary.	SEC. 6. That in the event the office of a Tax Collector is created under the provisions of this Act, the Sheriff of Rockingham County shall be placed on a salary basis to be determined by the County Commissioners in an amount not to exceed three thousand (\$3,000.00) dollars per year: <i>Provided</i> , that the said Sheriff's salary shall not be decreased during his tenure of office. In addition to this salary, the sheriff shall receive all fees for service of process, as is now provided by law. The salary above referred to shall be paid from the General Fund of Rockingham County.
Restriction upon decrease.	
Fees in addition to salary.	
Assistants for Tax Collector.	SEC. 7. In the event the office of Tax Collector is created under the provisions of this Act, the Tax Collector of Rockingham County shall be provided with not more than two assistants in the discretion of the Board of County Commissioners, whose salaries shall be fixed by said board, and paid from the general fund of the county.
Salaries.	
Abolition of office of Tax Collector.	SEC. 8. If the office of Tax Collector has been established under the provisions of this Act, the Board of County Commissioners of Rockingham County, by giving thirty days' written notice of their intention to do so, may, in their discretion, abolish the said office, and if said office is abolished as is provided herein, all the tax lists and books, both current and delinquent, shall be returned to the Sheriff of Rockingham County, and he shall proceed to collect said taxes in the same way and manner and on the same salary or fee basis as was in effect prior to the creation and establishment of the office of Tax Collector, as provided by this Act.
Collection of taxes by sheriff in event of abolition.	
Conflicting laws repealed.	SEC. 9. All laws and clauses of laws in conflict with this Act are hereby repealed.
	SEC. 10. This Act shall be in full force and effect from and after its ratification.
	In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

H. B. 748

CHAPTER 623

AN ACT TO ELIMINATE THE REQUIREMENT FOR ANNUAL SALES OF PROPERTY FOR DELINQUENT TAXES BY THE COUNTY OF MECKLENBURG AND MUNICIPALITIES THEREIN.

The General Assembly of North Carolina do enact:

SECTION 1. It shall not be mandatory upon the County of Mecklenburg, or upon any municipality located therein, to make an annual sale of the property of delinquent taxpayers within said county or municipalities, but the said county and the municipalities located therein may, at the discretion of the County Commissioners or the governing body of any of said municipalities as the case may be, postpone the sale of any such property for a period of two years after the taxes have become due and until the first Monday in May following; and the sale of the said property on such first Monday in May shall be in all respects valid and effectual just as if sold in accordance with the general law. *Provided also*, within the discretion of the said Board of County Commissioners, or of the governing body of any municipality located in Mecklenburg County, such sale may be further postponed and may be sold with like force and effect upon the first Monday in May of any year after the expiration of two years from the time the taxes are due.

SEC. 2. The Board of County Commissioners of the County of Mecklenburg, or the governing body of any municipality located therein, may proceed to the foreclosure of any land sold under authority of section seven thousand nine hundred ninety of the Consolidated Statutes of North Carolina, and in accordance with the proceedings thereby authorized, which are hereby declared to be operative and effective for such purpose, instead of under the foreclosure proceeding provided in Consolidated Statutes eight thousand thirty-seven and following.

SEC. 3. All laws and clauses of laws in conflict herewith are hereby repealed.

SEC. 4. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

Requirement for annual sales for delinquent taxes in Mecklenburg County and municipalities therein, eliminated.

Postponement of sales authorized.

Sales on postponed date declared valid.

Further postponement, authorized.

Foreclosures authorized under C. S. 7990 instead of under C. S. 8037 et seq.

Conflicting laws repealed.

H. B. 758

CHAPTER 624

AN ACT RELATING TO THE PAYMENT OF TAXES IN MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Mitchell County be and they are hereby authorized and empowered to cancel all interest and penalties on all delinquent taxes for the year one thousand nine hundred thirty-five and prior thereto

Commissioners, Mitchell County, authorized to cancel penalties and interest on certain taxes.

Condition.

Time for instituting
foreclosure proceed-
ings for delinquent
1933 and 1934
taxes, extended.

Conflicting laws
repealed.

provided said taxes shall be paid on or before the first day of January, one thousand nine hundred thirty-eight.

SEC. 2. That no foreclosure proceedings of tax sales certificates for delinquent taxes for the years one thousand nine hundred thirty-three and one thousand nine hundred thirty-four shall be instituted in Mitchell County prior to January first, one thousand nine hundred thirty-eight, and said taxpayers shall have until said date within which to pay said taxes.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

H. B. 869

CHAPTER 625

AN ACT TO PERMIT THE ALDERMEN OF THE TOWN OF WARRENSVILLE IN THEIR DISCRETION TO PROHIBIT THE SALE OF WINE AND BEER WITHIN THE INCORPORATED LIMITS OF SAID TOWN.

The General Assembly of North Carolina do enact:

Aldermen, Town of
Warrensville, Ashe
County, authorized
to prohibit sale of
alcoholic beverages.

SECTION 1. That the Board of Aldermen of the Town of Warrensville in Ashe County be and they are hereby authorized, in their discretion, to prohibit the sale of wines and beer, and other alcoholic beverages of an alcoholic content greater than one-half of one per cent within the corporate limits of the Town of Warrensville in Ashe County.

Upon prohibition by
ordinance, violation
made misdemeanor.

SEC. 2. Should the Board of Aldermen of the Town of Warrensville, in their discretion, pass an ordinance prohibiting the sale of the beverages set forth in section one of this Act, every person, firm, or corporation violating the provisions of the same shall be guilty of a misdemeanor and upon conviction shall be fined or imprisoned in the discretion of the court.

Punishment.

Conflicting laws
repealed.

SEC. 3. All laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 4. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

H. B. 897

CHAPTER 626

AN ACT TO PROHIBIT THE SALE OR GIVING AWAY MALT LIQUORS, BEER, ALE AND OTHER INTOXICATING BEVERAGES CONTAINING ALCOHOL, IN THE COMMUNITY OF ATLANTIC, CARTERET COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, persons, firm or corporation to sell or otherwise dispose of for gain or to give away spirituous, vinous or malt liquors, wines, ciders, either foreign or domestic, bitters containing more than one-half of one per cent, by volume, of alcohol in the community of Atlantic, running from Styron's Bay to Hall's Point in the County of Carteret, North Carolina.

Sale of alcoholic beverages in community of Atlantic, Carteret County, prohibited.

SEC. 2. That any person or persons, firm or corporation violating this Act shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned or both, for each and every offense, at the discretion of the court.

Violation made misdemeanor.

SEC. 3. That all laws and clauses of laws in conflict with this Act be and the same are hereby repealed.

Conflicting laws repealed.

SEC. 4. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

H. B. 980

CHAPTER 627

AN ACT TO REGULATE THE SALE OF COAL AND COKE IN WILKES COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. Every person, firm or corporation owning and operating one or more coal or coke yards in Wilkes County shall be deemed a dealer and all other persons, firms, partnerships or corporations engaged in the business of selling and delivering coal to any person, firm, corporation, or association in Wilkes County from any other place other than a coal yard, whether the same be from outside of Wilkes County or within the boundaries thereof, shall be deemed a peddler.

"Dealer" defined.

"Peddler" defined.

SEC. 2. No person, firm, corporation or partnership shall engage in the business of retail sale of coal as a coal dealer or coal peddler in Wilkes County until a license shall have been issued therefor by the County Commissioners of Wilkes County authorizing the conduct of such business; and a separate license shall be obtained for each separate location or place of business and for each peddler as hereinafter set forth.

License by Wilkes County required for engaging in retail sale of coal.

Separate license for each separate place of business.

Period of license.

License kept at place of business.

Exhibition.

Sale of coal prohibited unless weighed upon sufficient scales.

Scales open to inspection.

Not applicable to sale in car load lots.

Coal correctly weighed.

Ticket showing weight, etc. delivered to purchaser.

Procurement of annual license in addition to license required under general state law.

Cost.

License required for vehicles used in business.

Violation made misdemeanor.

Applies only to Wilkes County.

Conflicting laws repealed.

Effective date.

SEC. 3. Any license issued hereunder shall be for a period of one year and shall expire on the thirtieth day of June each year. Every licensee shall keep such license so issued to him at his place of business; and, upon request, during business hours shall exhibit said license to any officer, inspector or customer of said licensee.

SEC. 4. No person, firm or corporation shall sell and deliver any coal in the County of Wilkes without first having weighed the same within said county upon some good and sufficient scales, which scales are and shall be opened to inspection during business hours, by any officer, tax collector, or duly authorized agent of Wilkes County. The provisions of this section shall not apply to the sale and delivery of coal in car load lots.

SEC. 5. Every licensee hereunder shall correctly weigh said coal as provided in section four of this Act, and shall issue to the driver or person in charge of each load to be delivered a ticket bearing the name of the licensee and showing the gross and net weights, the name of the purchaser of said coal, the kind and the quality of the coal sold and the date thereof, a copy of such ticket to be given to the purchaser at the time of delivery of the coal.

SEC. 6. Every retail coal merchant or dealer, and every peddler, in addition to the tax imposed, or to be imposed, on such dealer or peddler under the general state law, before engaging in such business, shall apply and then procure from the County Commissioners of Wilkes County an annual license and shall pay for said license the sum of one hundred dollars (\$100.00).

SEC. 7. All peddlers or persons handling or dealing in coal other than retail coal dealers as herein defined, before engaging in such business as peddlers, shall apply for and obtain from the County Commissioners of Wilkes County an annual license as follows: For each and every motordrawn vehicle the sum of one hundred dollars (\$100.00); for each and every horsedrawn vehicle the sum of fifty dollars (\$50.00).

SEC. 8. Any violation of the terms of this Act shall constitute a misdemeanor, and the person so offending shall be fined or imprisoned, or both, in the discretion of the court.

SEC. 9. That this Act shall apply to Wilkes County only.

SEC. 10. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 11. This Act shall be in full force and effect from and after July first, one thousand nine hundred thirty-seven.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

H. B. 1154

CHAPTER 628

AN ACT FOR THE ADOPTION OF A STANDARD FORM OF AGRICULTURAL LIEN AND TITLE NOTE FOR COLUMBUS, ROBESON, BLADEN, BRUNSWICK AND DUPLIN COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That a standard form of agricultural lien and title note for Columbus, Robeson, Bladen, Brunswick and Duplin Counties shall be as follows:

"\$....., 19.....
On the..... day of....., 19..... promise to pay to
..... or order the sum of..... DOLLARS,
for value received with interest from maturity at six per cent
per annum.

This note is secured by the attached Agricultural Lien and Chattel Mortgage.

Witness: hand and seal this day.

Witness: (SEAL)
..... (SEAL)

STATE OF NORTH CAROLINA, County.

WHEREAS, I,, am engaged in cultivating the soil and ha this day agreed to make advances to me of supplies to the value of DOLLARS, during the year 19..... to enable me to make a crop during said year on land in said State and County, Township, adjoining the lands of.....

and being the same tract.....
and also upon all other lands that I may cultivate or cause to be cultivated during the said year.

NOW, THEREFORE, in consideration of the premises, I do covenant with..... that I will properly cultivate and harvest on said lands acres in cotton, acres in corn, acres in tobacco, and acres in.....; that there is no lien on said crop, and to secure the payment of the amount advanced to me, I do hereby give..... a lien as provided in Chapter....., Article....., of the Consolidated Statutes of North Carolina, on all the crops which may be raised on said lands during the year 19..... and if by the..... day of....., 19....., I fail to pay the amount advanced, and also fail to deliver to..... all the said crops at..... place of business,..... may close this lien as provided in Chapter....., Article....., Consolidated Statutes of North Carolina or otherwise, and receive from the proceeds the amount due for advances together with all costs and expenses of closing the same and the surplus if any pay to.....

And to further secure payment of the amount that may be advanced, and also the sum of..... DOLLARS,

Standard form of agricultural lien and title note adopted for Columbus, Robeson, Bladen, Brunswick, and Duplin Counties.
Form of note.
Declaration of debt.

Security.

Form of agricultural lien.

Declaration of debt.

Covenants.

Security.

Power of sale.

Further security.

now due by note dated, 19,
with interest from, I convey to
..... all of the above crops and also the fol-
lowing articles of personal property:

Power of sale.

all of which is my own and free from encumbrance and if by
....., 19, I fail to pay the amount due
..... may sell said property conveyed in this section
as provided by law for sale under Chattel Mortgage, and from
the proceeds retain all amounts provided for in section one.

Witness my hand and seal, this day of, 19

..... (SEAL)

..... (SEAL)

Witness:

Landlord's waiver.

....., the owner of the land described
in the foregoing instrument, in consideration of the advances to
be made as herein provided, do hereby agree to waive
and release my lien as landlord and agree to become responsible
for the payment of the debt upon said crops to the extent of
said advances made to said

This day of, 19

..... (SEAL)

Witness:

Acknowledgment.

....., 19
STATE OF NORTH CAROLINA, County.

The due execution of the foregoing lien was this day ac-
knowledged before me by, the grantor thereto.

..... (SEAL)

Notary Public

My commission expires

....., 19

Probate.

STATE OF NORTH CAROLINA, County.

The foregoing certificate of, a Notary
Public of County, is adjudged to be correct.
Let the Lien with the certificate be registered.

This day of, 19

.....
Clerk Superior Court.

....., 19

STATE OF NORTH CAROLINA, County.

The execution of the foregoing conveyance was this day proven
before me by the oath and examination of,
the subscribing witness thereto. Let the same with this certifi-
cate be registered.

.....
Clerk Superior Court."

Provided, that this shall not be construed to invalidate chattel mortgages in the forms other than the forms set out herein.

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

Chattel mortgages in other forms not invalidated.

H. B. 1219

CHAPTER 629

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF NASH COUNTY TO ISSUE BONDS FOR THE PURPOSE OF FUNDING THE DEBT OF THE MANNINGS TOWNSHIP ROAD DISTRICT.

Whereas, the Mannings Township Road District of Nash County was created by Act of the Legislature of one thousand nine hundred thirteen, and under said Act was authorized to issue fifty thousand dollars (\$50,000.00) of Road Bonds and was authorized to levy a sufficient tax to pay the interest of said bonds; and,

Whereas, the said Act authorizing the issuance of said bonds did not make a provision for a sinking fund with which to pay same; *Now, therefore*,

Preamble: Creation of Mannings Township Road District, Nash County.

Authority to issue bonds and levy taxes.

Sinking fund not provided for.

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Nash County, North Carolina be and it is authorized and empowered in their discretion to issue and sell bonds of Nash County in a sum not exceeding fifty thousand dollars (\$50,000.00) for the purpose of paying off the bonds issued by the Mannings Township Road District under an Act by the one thousand nine hundred thirteen Legislature.

County Commissioners authorized to issue and sell bonds to pay bonds issued by said District.

SEC. 2. That the said bonds herein authorized shall mature annually, beginning not longer than one year after the date of issue and ending not longer than twenty years from the date of issue. Said bonds shall be issued and sold in the manner provided by law for the issuance and sale of county bonds and shall not bear interest at more than four per cent.

Maturity of bonds.

SEC. 3. That the Board of Commissioners after the selling of said bonds shall levy a sufficient ad valorem tax on the property contained and situated in the Mannings Township Road District to pay the principal and interest of said bonds as they severally fall due.

Manner of issuance and sale.

Interest rate.

Tax levy, authorized.

SEC. 4. That any bonds issued under the provisions of this Act shall be transferred for a like number of bonds of the said Mannings Township Road District or sold and the proceeds thereof shall be used for the purpose of paying off and discharging the bonds of said Mannings Township Road District and any amount of the said fifty thousand dollars (\$50,000.00) of bonds authorized by this Act may be issued and transferred or

Sale or transfer of bonds for purpose of discharging bonds issued by Road District.

issued and sold for the purpose of discharging the bonds issued by said Mannings Township Road District.

Bond anticipation notes authorized.

SEC. 5. After said bonds shall have been authorized and before they are issued, the said Board of Commissioners may sell notes of the county in anticipation of the sale of said bonds and pay off and discharge any amount or all of the said fifty thousand dollars (\$50,000.00) of bonds issued by said Mannings Township Road District.

Levy of taxes on property within Road District.

SEC. 6. This Act authorizing the Board of Commissioners of Nash County to issue the bonds as hereinbefore specified shall not prevent the said Board of Commissioners from levying a sufficient amount of taxes on the property contained in the Mannings Township Road District to pay the said bonds and provide a sinking fund sufficient to pay off the principal of said bonds at maturity although the bonds are issued by the county as an obligation of the county, the said Mannings Township Road District and the property contained in said district shall be primarily responsible for the payment of said bonds and interest and same, after issuance, shall be a direct obligation of said road district.

Sinking fund.

Property located in said Road District primarily responsible for payment of bonds.

Issuance of funding or refunding bonds or notes not prohibited.

SEC. 7. Nothing contained in this Act is to prevent the said Board of Commissioners from issuing bonds or notes for the purpose of funding and/or refunding said debt under any general law that may authorize same.

Conflicting laws repealed.

SEC. 8. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 9. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

H. B. 1231

CHAPTER 630

AN ACT TO FIX THE TERMS OF OFFICE OF THE OFFICERS OF THE TOWN OF MURPHY, CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

Terms of Mayor and Aldermen, Town of Murphy.

SECTION 1. That upon the passage of this Act the Mayor of the Town of Murphy and the Board of Aldermen shall serve for a term of two years.

Payment of certain costs into town treasury.

SEC. 2. That the police officers of the Town of Murphy shall not receive any costs in addition to their salaries but said costs shall be paid into the treasury of the Town of Murphy.

Conflicting laws repealed.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

H. B. 1243

CHAPTER 631

AN ACT TO AMEND CHAPTER SIXTY-SEVEN, PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-THREE, RELATING TO THE POLICE COURT IN THE TOWN OF CANTON, HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section nine of chapter sixty-seven, Private Laws of one thousand nine hundred and thirty-three, be and the same is hereby repealed and the following substituted in lieu thereof.

"Sec. 9. That at the next biennial election to be held in the Town of Canton, Haywood County, on Tuesday after the first Monday in May, one thousand nine hundred and thirty-seven, and biennially thereafter, there shall be elected a Prosecuting Attorney for the Police Court of said town, who shall be a resident of Canton, and who shall appear for the prosecution of all cases therein and, when especially requested by the Governing Body of the Town of Canton, shall assist in the prosecution of the cases which may be bound over or appealed from the said Police Court to the Superior Court of Haywood County. For his services he shall be paid a salary of not less than forty dollars (\$40.00) nor more than seventy-five dollars (\$75.00) per month, to be determined by the Board of Aldermen of said Town."

SEC. 2. That this Act shall be in full force and effect from and after May third, one thousand nine hundred and thirty-seven.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

Ch. 67, Private Laws, 1933, amended.

Election of Prosecuting Attorney, Police Court, Town of Canton, Haywood County.

Residence qualification.

Duties.

Salary.

Effective date.

H. B. 1252

CHAPTER 632

AN ACT TO PROHIBIT THE PRESENCE OF FISH NETS AND STAKES IN CERTAIN WATERS OF PERQUIMANS RIVER.

The General Assembly of North Carolina do enact:

SECTION 1. That from and after the ratification of this Act it shall be unlawful to set or maintain or allow to be set or maintained or allow to remain, any fish net or fish net stake or any stand of net stakes in the waters of Perquimans River adjacent to the Town of Hertford, west of a line drawn from a point two hundred yards east of Nixon's Point to a point two hundred yards east of Crow Point. Except that such nets or stakes may be set and maintained in the said waters during the period beginning on the fifteenth of February and extending through said months of February, March and April of each year. Any person or firm or group of persons found guilty of failing to

Presence of fish nets and stakes in certain waters of Perquimans River, prohibited.

Exception as to certain months.

Violation made misdemeanor.

remove and keep their nets or stakes from the above described waters at the times prohibited in this Statute shall be guilty of a misdemeanor and fined or imprisoned in the discretion of the court.

Conflicting laws
repealed.

SEC. 2. That all laws or clauses of laws in conflict with this Statute are hereby repealed.

SEC. 3. That this Statute shall be effective from and after its ratification.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

H. B. 1261

CHAPTER 633

AN ACT TO AMEND CHAPTER ONE HUNDRED EIGHTY-THREE, PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED ONE, BEING THE CHARTER OF THE TOWN OF LEAKSVILLE, WITH REFERENCE TO THE TAXING POWER OF SAID TOWN.

The General Assembly of North Carolina do enact:

Ch. 183, Private
Laws, 1901,
amended.

SECTION 1. Section twenty-two, chapter one hundred eighty-three, Private Laws of one thousand nine hundred one, be and the same is hereby repealed, and the following substituted in lieu thereof:

Levy and collection
of taxes by Town
of Leaksville,
authorized.

"Section 22. The governing body, in order to raise a fund for the payment of the outstanding debts and the current expenses incident to the proper government of the town, and all other expenses which it may by law be authorized to pay, may annually levy and collect the following taxes: On the valuation of all property which may be by law subject to taxation by said town, a tax not in excess of one and one-half per centum; on each taxable poll, a tax not in excess of the tax now or hereafter permitted by the Constitution and Laws of this state; on each dog, a tax not in excess of two dollars; on all trades, professions, businesses and franchises, a tax or taxes in an amount or amounts fixed by said governing body, within the limitations and prohibitions fixed by the Constitution and General Laws of this state; any and all other taxes which may, under the Constitution and General Laws of this state, be levied by cities and towns."

Schedule of
taxes authorized.

SEC. 2. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

Conflicting laws
repealed.

H. B. 1270

CHAPTER 634

AN ACT TO AMEND CHAPTER TWO HUNDRED AND TWENTY OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND TWENTY-NINE, ENTITLED, "AN ACT TO CREATE A PEACE OFFICERS' RELIEF FUND FOR THE CITY AND COUNTY OF DURHAM."

The General Assembly of North Carolina do enact:

SECTION 1. That section six of chapter two hundred and twenty of the Public-Local Laws of one thousand nine hundred and twenty-nine, be, and the same is hereby amended by adding at the end of section six, the following: "That where a defendant is indicted for public drunkenness in Recorder's Court in Durham County and shall enter a nolo contendere, a plea of guilty or shall be adjudged guilty by the court or found guilty by a jury, wherein the cost of action is paid by the defendant, there shall be taxed in the bill of cost a fee of one dollar (\$1.00), to be known as the officers emergency fee, and shall be collected as all other costs in criminal cases are collected, by the clerk or other officer of the court authorized to receive costs; and such fund shall be turned over to the Treasurer of the Durham Peace Officers Protective Association, to be by him held and kept and paid out as all other funds in the treasury of the Durham Peace Officers Protective Association."

Ch. 220, Public-Local Laws, 1929, amended.

Officers emergency fee taxed as part of costs in certain cases in Durham County Recorder's Court.

Collection.

Use of funds.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

H. B. 1094

CHAPTER 635

AN ACT TO PROHIBIT THE SALE OF BEER, ALE, WINE, OR OTHER INTOXICATING BEVERAGES IN ONE MILE OF GLENVILLE HIGH SCHOOL IN JACKSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That from and after the ratification of this Act, it shall be unlawful to sell beer, ale, wine, or other alcoholic or intoxicating beverages within a distance of one mile of Glenville High School in Jackson County.

Sale of intoxicating beverages within one mile of Glenville High School, Jackson County, prohibited.

SEC. 2. Every person, firm or corporation violating the provisions of this Act shall be guilty of a misdemeanor and shall be fined or imprisoned in the discretion of the court.

Violation made misdemeanor.

Conflicting laws
repealed.

SEC. 3. All laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 4. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

H. B. 1257

CHAPTER 636

AN ACT TO AMEND CHAPTER FIFTY-TWO OF THE PUBLIC LOCAL LAWS OF ONE THOUSAND NINE HUNDRED TWENTY-NINE RELATING TO RECORDER'S COURT OF LEAKSVILLE TOWNSHIP IN ROCKINGHAM COUNTY.

The General Assembly of North Carolina do enact:

Sec. 1, Ch. 52,
Public-Local Laws,
1929, amended.

Salaries of Recorder
and Solicitor of
Leaksville Township
Recorder's Court,
Rockingham County.

Sec. 2, amended,
increasing limita-
tion on salary of
Recorder and
Solicitor.

Conflicting laws
repealed.

SECTION 1. That section one of chapter fifty-two of the Public-Local Laws of one thousand nine hundred and twenty-nine be and the same is hereby amended to read as follows: "That the salary of the Recorder and the Solicitor of Leaksville Township Recorder's Court shall be fixed by the Board of Commissioners of Rockingham County, said salary not to exceed eighteen hundred dollars (\$1800.00) per annum."

SEC. 2. That section two of chapter fifty-two of the Public-Local Laws of one thousand nine hundred and twenty-nine be and the same is hereby amended by striking out after the word "salary" the words "not to exceed twelve hundred dollars (\$1200.00) per annum," and inserting in lieu thereof the words "not to exceed eighteen hundred dollars (\$1800.00) per annum."

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

H. B. 1141

CHAPTER 637

AN ACT TO AMEND CHAPTER ONE HUNDRED NINETY-THREE OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE, FIXING THE FEES TO BE COLLECTED BY THE CLERK OF THE RECORDER'S COURT OF GRANVILLE COUNTY.

The General Assembly of North Carolina do enact:

Ch. 193, Public-
Local Laws, 1935,
amended.

SECTION 1. That chapter one hundred and ninety-three of the Public-Local Laws of one thousand nine hundred and thirty-five, be, and the same is hereby amended by striking out the proviso at the end of section one thereof, beginning in the second line

on page one hundred and seventy-seven of the Public-Local Laws of said year and inserting in lieu thereof the following: "Provided, that in all cases both civil and criminal within the final jurisdiction of a justice of the peace, or in which a defendant is convicted, or in which a plea of guilty is accepted of an offense within the jurisdiction of a justice of the peace, the clerk shall tax against the party cast one-half of the fees provided for in other cases except that there shall be taxed in said costs a fee of only one dollar for the recorder and one dollar for the prosecuting attorney, all of which shall be paid into the general county fund of the county as hereinbefore provided."

Fees taxed by Clerk
of Recorder's Court
of Granville County.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws
repealed.

SEC. 3. That this Act shall be in full force and effect from and after the first day of April, one thousand nine hundred and thirty-seven.

Effective date.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

H. B. 1142

CHAPTER 638

AN ACT TO AMEND THE CHARTER OF THE TOWN OF OXFORD, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter three hundred and two of the Private Laws of one thousand nine hundred and thirteen as amended, be amended to read as follows: "That the corporate limits of said town shall be as follows: One thousand yards from the center of the main entrance door of the court house in all directions."

Ch. 302, Private
Laws, 1913,
amended.

Corporate limits of
Town of Oxford
re-defined.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws
repealed.

SEC. 3. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

H. B. 1145

CHAPTER 639

AN ACT TO PLACE ALL THE LAW ENFORCEMENT OFFICERS OF GREENE COUNTY UNDER THE SUPERVISION AND CONTROL OF THE SHERIFF OF GREENE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all law enforcement officers of Greene County are hereby placed under the direct supervision, direction, and control of the Sheriff of Greene County: *Provided*, that this Act

Law Enforcement
officers of Greene
County placed under
supervision of
Sheriff.

Officers exempted.

shall not apply to city municipal police and fish and game protectors.

Conflicting laws repealed.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

H. B. 1151

CHAPTER 640

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE TOWN OF PANTEGO IN BEAUFORT COUNTY TO EXECUTE AN OPTION AGREEMENT FOR THE SALE OF CERTAIN LANDS SITUATED IN SAID TOWN.

The General Assembly of North Carolina do enact:

Governing authorities, Town of Pantego, Beaufort County, authorized to execute option for sale of property.

SECTION 1. That the governing authorities of the Town of Pantego in Beaufort County be and they are hereby authorized to execute an option for the sale of the following described property:

Description of property.

"On Main street in the town of Pantego beginning at the G. E. Waters southwest corner and running with said Waters line westward 200 feet to the corner, thence southward and parallel with Main Street, above referred to, about 250 feet to Pantego Creek or main run of Pantego District Canal, and thence with said creek or canal southwestwardly to said Main Street, thence northwardly with said street to the beginning, containing approximately 5000 square feet."

Execution of deed authorized upon exercise of option.

SEC. 2. At the expiration of the option the said governing authorities are hereby authorized and empowered to execute a deed to the property above described to the purchaser, upon compliance with the terms of the option.

Conflicting laws repealed.

SEC. 3. All laws and clauses of laws in conflict herewith are hereby repealed.

SEC. 4. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

H. B. 1278

CHAPTER 641

AN ACT TO AMEND CHAPTER FIVE HUNDRED FIFTY-NINE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-FIVE RELATING TO THE ESTABLISHMENT OF SPECIAL SCHOOL DISTRICTS FOR THE PURPOSE OF AUTHORIZING THE ISSUANCE OF SCHOOL BUILDING BONDS AND TO LEVY TAXES WITHIN SUCH DISTRICTS OR UNITS FOR THE PAYMENT OF SAID BONDS AN ACT BEING TO INCLUDE GATES COUNTY WITHIN THE PROVISIONS OF SAID BILL.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred fifty-nine Public-Local Laws of one thousand nine hundred thirty-five, section eleven, be amended by including in Gates County within the provisions of said Act.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

Ch. 559, Public-Local Laws, 1935, providing for issuance of school district building bonds, amended to include Gates County.

Conflicting laws repealed.

H. B. 1280

CHAPTER 642

AN ACT TO AMEND CHAPTER FIVE HUNDRED SEVENTY-EIGHT OF THE PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED ELEVEN, AS AMENDED, AND BEING THE CHARTER OF THE CITY OF KINSTON, SO AS TO EXTEND THE CORPORATE LIMITS OF SAID CITY, AND TO CREATE THE OFFICE OF CITY MANAGER OF SAID CITY.

The General Assembly of North Carolina do enact:

SECTION 1. That the corporate limits of the City of Kinston are hereby located and defined as follows:

Boundaries. That the boundaries and limits of said corporation shall be as follows: Beginning at the intersection of the center line of the Kinston-Trenton paved highway (State Highway Number Twelve) with the center line of the northern abutment of Over Flow Bridge Number one of Lenoir County, State Highway Project Number two hundred sixty-one, and being known as the First Slough Bridge, near the southern end of Queen Street, and runs approximately South seventy-nine degrees East about four thousand five hundred forty feet and until said line intersects the center line of the main line track of the Atlantic and North Carolina Railroad at a point two hun-

Corporate limits of City of Kinston defined.

Boundaries.

dred fifty feet northwestwardly of the first switch point northwestwardly of the railroad trestle across Neuse River; thence North eighty degrees East to Adkin Branch; thence up and along the western edge or bank of the said Adkin Branch to the point where the south line of the Herbert L. Hill property intersects the western bank of said Adkin Branch a short distance below the bridge across said branch on the Kinston-Snow Hill paved highway; thence along said Hill's south line to the old Kinston-Snow Hill road; thence directly across said road to a stake in the western edge thereof; thence in a southwestern direction and in a direct line to a point in the western edge of West Road (in the subdivision known as Perry Park), said point being fifty feet northwardly from the northeastern corner of the Dr. C. F. West and Susie P. West lot; thence running in a westwardly direction and parallel with the north line of the Dr. C. F. and Susie P. West, Henry A. Walker and Dr. B. C. West lots to the west side of Carey Road (in said Perry Park subdivision); thence southwardly with the west side of Carey Road to the northern line of Perry Park Drive extended; thence westwardly along the northern line of Perry Park Drive extended to Catfish Branch; thence up and along said Catfish Branch to the Northeast corner of the subdivision known as Fairfield, it being also the southeastern corner of the Kinston Country Club property and the northwestern corner of the George F. Suggs property; thence along the northern boundary line of said Fairfield subdivision to the northwestern corner thereof in the J. P. Hardee line; thence South six degrees and twenty minutes West along the western edge of said Fairfield property and along the said J. P. Hardee line about twelve hundred feet to a stake in the J. P. Hardee line at Deep Branch, said stake being twenty-five feet northwardly from the center line of State Highway Number ten; thence directly South to the north bank of Neuse River; thence down said river and along said bank to a point directly West from the beginning point hereof; thence directly East to the point of beginning.

Accurate survey
authorized.

Boundary lines
marked with per-
manent monuments
when necessary.

Appointment of
City Manager,
authorized.

Basis of selection.

SEC. 2. That as soon as practicable after this Act becomes effective the City Council of said city shall cause an accurate survey of said boundaries to be made by the city engineer, who shall accurately lay out and mark said boundary lines except where they follow natural boundaries, and who shall place suitable monuments of a permanent nature at such points as he shall deem necessary and in accordance with good engineering practice.

SEC. 3. That there may be appointed by a majority vote of the City Council of the City of Kinston, after this Act becomes effective, in the event the City Council shall deem it advisable, an officer whose title shall be city manager, and who shall be the chief executive officer and the head of the administrative branch of the city government. The city manager shall be chosen by the council solely on the basis of his executive and admin-

istrative qualifications with special reference to his actual experience in, or his knowledge of, accepted practice in respect to the duties of his office as hereinafter outlined. At the time of his appointment he need not be a resident of the city or state, but during his tenure of office he shall reside within the city. No person elected to membership on the council shall, subsequent to such election, be eligible for appointment as city manager until one year has elapsed following the expiration of the term for which he was elected.

The city manager shall be appointed for an indefinite term but may be removed by a majority vote of the members of the council. At least thirty days before such removal may become effective the manager shall be furnished with a formal statement in the form of a resolution passed by a majority vote of the members of the council, stating the council's intention to remove him and the reasons therefor. The manager may reply in writing to such resolution. If so requested by the manager the council shall fix a time for a public hearing upon the question of his removal and the final resolution removing the manager shall not be adopted until such public hearing has been had. Upon passage of a resolution stating the council's intention to remove the manager, the council may suspend him from duty, but his pay shall continue until his removal shall become effective as herein described. The action of the council in removing the manager shall be final. In case of the absence or disability of the manager the council may designate a qualified administrative officer of the city to perform the duties of the manager during such absence or disability.

Before entering upon the discharge of the duties of his office the city manager shall take an oath that he will faithfully perform such duties and shall execute and file with the city council a bond in favor of the City of Kinston, with an incorporated bonding company or companies licensed to do business in North Carolina as surety or sureties thereon, conditioned upon the faithful discharge by him of such duties. The amount of such bond shall be prescribed by the city council, but in no event shall it be less than ten thousand dollars, and the premium thereon shall be paid by the city.

The city manager shall not be personally interested in any contract to which the city is party for doing any work or supplying materials of any character to the city; nor shall he be a stockholder or interested in any manner in any corporation making or having such a contract with the city.

The city manager shall devote his entire time to the duties of his office and shall attend all meetings of the city council and recommend to it from time to time such measures and action as he shall deem necessary or proper, and supply it with all useful or necessary information and details concerning any of the departments or work under his control. He shall have entire charge and control of all of the executive work of the city in its

Residence
qualifications.

Eligibility of persons
elected to Council.

Tenure.

Removal.

Notice of intention
of removal.

Reply.

Public hearing.

Suspension.

Continuation of
salary.
Action of Council
final.

Substitute named
for Manager during
absence or disability.

Oath.

Bond.

Condition of bond.

Amount.

Payment of premium.

City Manager not
permitted to have
personal interest in
contracts, etc. to
which city is party.

City Manager re-
quired to devote
full time to duties.

Control of executive
work of city.

Enforcement of laws.

Power of revoking licenses.

Power of appointing subordinate officers, etc.

Power to elect and prescribe duties of City Clerk, Tax Collector, etc. not taken from Council.

Enforcement of conditions of public utility franchises.

Breaches reported to Council.

Preparation of annual budget.

Council advised of city's financial condition, etc.

Authority over public works, etc.

Approval of payrolls and bills, etc.

Supervision of improvements.

Other duties.

Salary.

Ch. 74, Private Laws, 1921, amended.

Appointment of mayor pro tem.

Compensation of aldermen.

Sections 3 and 4 of this Act effective only upon adoption of City Manager form of govt.

Effective date.

various departments, and shall have and exercise control of the several heads of departments and employees of the city, and shall make all contracts for labor and supplies to be performed for or furnished to the city. He shall see that the laws and ordinances of the city are enforced. He shall have power and authority to revoke licenses, pending action thereon by the city council. He shall have power and authority to appoint all subordinate officers and servants of the city and to remove or suspend any officer or servant employed by him: *Provided*, that nothing herein contained shall be construed to take from the city council the power and authority to elect the city clerk, tax collector, city attorney, auditor, or superintendent of the water and light department, or to fix their duties so far as authorized by the charter of the city or the laws of the state.

The city manager shall see that all terms and conditions in favor of the city or its citizens imposed by or contained in any public utility franchise are faithfully kept and performed, and, upon discovery or ascertainment of any violation or breach thereof shall in writing bring such violation or breach to the attention of the city council. He shall prepare an annual budget for the consideration of the council and shall keep the council fully advised as to the financial condition and needs of the city. He shall have authority and charge over all public works, the erection of buildings for the city, the construction of all improvements, paving, curbing, sidewalks, streets, bridges and viaducts, and the repair thereof. He shall approve all payrolls and bills against the city for materials furnished, work done or labor performed, except salaries fixed by the city council; all estimates of the cost of public works, and shall have the right to accept or reject work done or improvements made; shall have control over the location of telephone and telegraph poles and wires; and he shall perform such other duties as may be imposed upon him by the city council. His salary shall be fixed by the city council.

SEC. 4. That section three of chapter seventy-four of the Private Laws of one thousand nine hundred twenty-one be stricken out and the following inserted in lieu thereof, to-wit:

"The Mayor shall appoint from among the members of the council one alderman who shall be mayor pro tem.

"Each alderman shall receive not to exceed fifty dollars per year for services as alderman."

SEC. 5. That section three and four of this Act shall be effective only in the event that the city council shall by resolution adopt the city manager form of operation of said city as set forth in section three and four of this Act at the first meeting of the board to be held in Kinston after the first day of June, one thousand nine hundred thirty-seven.

SEC. 6. That the provisions of this Act shall become effective on, from, and after the first day of June, one thousand nine hundred thirty-seven.

SEC. 7. That all inconsistent provisions of the charter of the City of Kinston in conflict with this Act are hereby amended except that sections three and four of this Act shall not amend or otherwise affect the existing charter unless the city council shall by resolution adopt said sections three and four as heretofore set forth in this Act.

Conflicting provisions of Charter of Kinston amended.

SEC. 8. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

H. B. 1283 CHAPTER 643

AN ACT TO REPEAL CHAPTER ONE HUNDRED TWELVE, PUBLIC-LOCAL LAWS ONE THOUSAND NINE HUNDRED TWENTY-FIVE, RELATING TO ENFORCEMENT OF THE LAW AGAINST THE MANUFACTURE AND SALE OF INTOXICATING LIQUOR IN VANCE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred twelve of the Public-Local Laws of one thousand nine hundred twenty-five, be and the same is hereby repealed.

Ch. 112, Public-Local Laws, 1925, relating to enforcement of liquor laws in Vance County, repealed.

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

H. B. 1287 CHAPTER 644

AN ACT TO CLARIFY AND AMEND HOUSE BILL ONE THOUSAND EIGHTY-EIGHT OF THE PRESENT SESSION OF THE GENERAL ASSEMBLY RELATIVE TO THE PAY OF PRECINCT OFFICERS OF NEW HANOVER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. Amend House Bill one thousand eighty-eight of the present session of the General Assembly by adding in section one in line four, after the word "officer" and before the word "the" the following words:

"and to each member of the County Board of Elections"

SEC. 2. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

H. H. 1088, Ch. 581, Public-Local Laws, 1937, amended, raising per diem of members, New Hanover County Board of Elections.

SEC. 3. This Act shall be in full force and effect from and after its ratification.

Conflicting laws repealed.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

H. B. 1290

CHAPTER 645

AN ACT TO PROHIBIT THE MAINTENANCE OF A JUNK YARD WITHIN FIVE HUNDRED YARDS OF ANY RESIDENCE SITUATED IN ANY MUNICIPALITY IN COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

Maintenance of junk yard near any residence in municipalities of Columbus County, prohibited.

Violation made misdemeanor.

Conflicting laws repealed.

SECTION 1. That it shall be unlawful for any person, firm, or corporation to maintain or permit the maintenance of any junk yard within five hundred yards of any residence situated in any municipality in Columbus County.

SEC. 2. Every person, firm, or corporation violating the provisions of section one of this Act shall be guilty of a misdemeanor, and, upon conviction, shall be fined and/or imprisoned in the discretion of the court.

SEC. 3. All laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 4. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

H. B. 1293

CHAPTER 646

AN ACT PROVIDING FOR A DIVISION OF PROFITS ARISING FROM THE OPERATION OF LIQUOR STORES IN WILSON COUNTY BETWEEN THE COUNTY AND THE MUNICIPALITIES IN WHICH SUCH STORES ARE OPERATED.

The General Assembly of North Carolina do enact:

Division of profits from liquor stores operated in Wilson County.

25% to municipality in which store is operated.

75% to County.

A. B. C. Board of Wilson County authorized to make payments.

Conflicting laws repealed.

SECTION 1. The net profits arising from the operation of liquor stores in Wilson County, after the deduction of the amount or amounts set aside for law enforcement, shall be divided as follows:

The municipality in which a liquor store is operated shall receive twenty-five per cent of the net profit derived from the operation of the store in said municipality, and the said County of Wilson shall receive seventy-five per cent of said profit.

SEC. 2. The Alcoholic Beverage Control Board of Wilson County shall pay into the general fund of Wilson County and of the municipality in which a liquor store is operated the profits derived from the operation of said stores in accordance with and in the percentage set forth under the provisions of section one hereof.

SEC. 3. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed only in so far as is necessary to effectuate and carry into effect the intent and purpose of this Act.

SEC. 4. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

H. B. 1295

CHAPTER 647

AN ACT TO ENLARGE THE TERM OF OFFICE OF THE REGISTER OF DEEDS FOR YADKIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That at the general election for the year one thousand nine hundred and thirty-eight, and quadrennially thereafter, there shall be elected by the qualified voters of Yadkin County, a Register of Deeds, who shall serve for a term of four years from the first Monday in December following his election, and until his successor is elected and qualified.

Four year term for Register of Deeds, Yadkin County.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

H. B. 1297

CHAPTER 648

AN ACT TO AMEND HOUSE BILL EIGHT HUNDRED FORTY-TWO, ENTITLED "TO INCREASE THE TERMS OF OFFICE OF THE REGISTER OF DEEDS, COUNTY AUDITOR, AND COUNTY TREASURER OF JOHNSTON COUNTY," RATIFIED MARCH THIRTEENTH, ONE THOUSAND NINE HUNDRED THIRTY-SEVEN.

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill eight hundred and forty-two, entitled "To increase the terms of office of the Register of Deeds, County Auditor, and County Treasurer of Johnston County," ratified March thirteenth, one thousand nine hundred thirty-seven, be, and the same is hereby amended by adding after the word "Treasurer" in section one, line four, the following words: "and a Judge and a Solicitor of the Recorder's Court."

H. B. 842, Ch. 319, Public-Local Laws, 1937, amended.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Terms of Judge and Solicitor of Recorder's Court, Johnston County, increased.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

Conflicting laws repealed.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

H. B. 1299

CHAPTER 649

AN ACT TO PROHIBIT THE WRONGFUL USE OF MILK BOTTLES, CRATES, CANS AND OTHER CONTAINERS OF DAIRY PRODUCTS IN WAKE COUNTY. (APPLICABLE ALSO TO DURHAM, EDGECOMBE, BUNCOMBE AND WILSON COUNTIES.)

The General Assembly of North Carolina do enact:

Use of dairy product containers for purposes other than milk or other food products prohibited.

Identification of ownership required.

Identification mark upon container prima facie evidence of ownership.

Use of containers identified as property of another, for distribution or sale of dairy products, prohibited.

Purchase of containers identified as property of another, prohibited.

Wilful violation made a misdemeanor.

Partial invalidity provision.

Applies to Wake, Durham, Edgecombe, Buncombe and Wilson Counties.

Conflicting laws repealed.

SECTION 1. No person, firm, or corporation shall use or permit to be used a milk bottle or other receptacle designed as a milk container or container of dairy products for any purpose other than a milk container or container of dairy or other food products when such milk bottle or other receptacle is used or intended for use thereafter for the purpose of distributing milk and other dairy products: *Provided*, that all such milk bottles or other containers designed as milk containers shall have the name, brand or trade-mark of the owner thereof blown, embossed or marked thereon clearly designating said container as a container for milk or other dairy products.

SEC. 2. That the name, brand or trademark of any person, firm or corporation blown, embossed or marked upon any milk bottle or other receptacle designed as a milk container or container of dairy products shall be prima facie evidence of the sole ownership of said person, firm, or corporation.

SEC. 3. It shall be unlawful for any person, firm, or corporation to use or permit to be used any milk bottle, can, crate or other container for milk or other dairy products which has the name, brand or trademark of any other person, firm, or corporation blown, embossed or marked thereon for the purpose of marketing, selling, or otherwise distributing milk or other dairy products.

SEC. 4. That it shall be unlawful for any person, firm, or corporation to purchase milk bottles, cans, crates or other containers designed as a milk container or container of dairy products when the said bottle, can, crate or other container has the name, brand or trademark of any other person, firm, or corporation blown, embossed or marked thereon.

SEC. 5. Any person, firm, corporation or agent wilfully violating any of the sections of this statute shall be guilty of a misdemeanor and shall be subject to not more than a ten dollar fine or not more than ten days imprisonment for each and every violation thereof.

SEC. 6. If any provision of this article shall be held invalid, it shall not be construed to invalidate other provisions of this article.

SEC. 7. That the provisions of this Act shall apply only to Wake, Durham, Edgecombe, Buncombe and Wilson Counties.

SEC. 8. That all laws and clauses of laws in conflict herewith are hereby repealed.

SEC. 9. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

H. B. 1302

CHAPTER 650

AN ACT TO PROVIDE FOR AN ELECTION RELATIVE TO LOCAL SUPPLEMENTS IN ADMINISTRATIVE UNITS OR IN SCHOOL DISTRICTS IN ROWAN AND GASTON COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. The county board of education in the county administrative unit, with the approval of the tax levying authorities in the county and the State School Commission, in order to operate the schools of a higher standard than that provided by state support in the administrative unit or in any school district within the county administrative unit having a school population of one thousand or more, but in no event to provide for a term of more than one hundred eighty days, may supplement the funds from the state or county allotments available to said administrative unit and/or district: *Provided*, that before making any levy for supplementing said allotments, an election shall be held in said administrative unit or district to determine whether there shall be levied a tax to provide said supplemental funds, and to determine the maximum rate which may be levied therefor. Upon the request of the county board of education in the county administrative unit the tax levying authorities of such unit shall provide for an election to be held under laws governing such elections as set forth in Articles XXIII, XXIV, and XXVI of chapter ninety-five of the Consolidated Statutes of North Carolina, volume three: *Provided*, that the rate voted shall remain the maximum until revoked or changed by another election.

Local supplements for schools in Rowan and Gaston Counties, authorized.

Election upon question of tax and rate.

Provision for calling and holding election.

Rate voted to remain maximum until changed by future election.

SEC. 2. That this Act shall apply only to Rowan and Gaston Counties.

Applies only to Rowan and Gaston Counties.

SEC. 3. That all laws and clauses of laws inconsistent with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 4. That this Act shall be in full force and effect from and after ratification.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

H. B. 1308

CHAPTER 651

AN ACT TO AMEND HOUSE BILL ONE HUNDRED THIRTY-SIX, RATIFIED MARCH FIRST, ONE THOUSAND NINE HUNDRED THIRTY-SIX, BEING "AN ACT TO CREATE THE OFFICE OF CITY ATTORNEY FOR THE CITY OF CHARLOTTE AND TO DESIGNATE THE DUTIES OF THE HOLDER OF SAID OFFICE AND THE SALARY ATTACHED THERETO."

The General Assembly of North Carolina do enact:

H. B. 136, Ch. 167, Public-Local Laws, 1937, amended, to authorize employment of attorneys by Mecklenburg County for occasional extra work.

Applies only to Mecklenburg County.

Effective date.

SECTION 1. That section three of House Bill one hundred thirty-six, ratified March first, one thousand nine hundred thirty-seven, be, and the same is hereby amended by inserting the word "occasional" between the words "for" and "extra" in line seven of said section.

SEC. 2. That this Act shall apply only to Mecklenburg County.

SEC. 3. This Act shall be in full force and effect at the first general election for municipal officers for the said City of Charlotte, North Carolina, after the ratification of this Act.

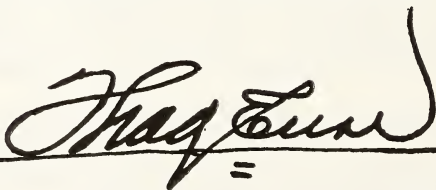
In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

STATE OF NORTH CAROLINA

OFFICE OF SECRETARY OF STATE

RALEIGH, N. C., MARCH 23, 1937

I, THAD EURE, Secretary of State of the State of North Carolina, hereby certify that the foregoing (manuscript) are true copies of the original Acts on file in this office.



A handwritten signature in cursive script, reading "Thad Eure", is written over a horizontal line. Below the signature, there is a small equals sign (=).

Secretary of State.

PRIVATE LAWS OF THE STATE OF NORTH CAROLINA

SESSION 1937

H. B. 279

CHAPTER 1

AN ACT TO ENCOURAGE THE LOG CABIN ASSOCIATION, AN ELEEMOSYNARY ORGANIZATION IN PROMOTING REFORESTATION AND BETTER FARMING METHODS IN JACKSON COUNTY.

Whereas, the Log Cabin Association is a non-profit, charitable institution, created, organized and existing under the laws of the State of North Carolina, for the purpose of improving social and living conditions and promoting the well-being of mankind throughout the world, and to use any means to that end which, from time to time, may seem expedient to it, including research, publication and education, the establishment and maintenance of charitable and benevolent institutions, agencies and activities, and the aid of any such institutions or activities already established; and

Whereas, The Log Cabin Association is the owner of a tract of land in Jackson County, North Carolina, containing six hundred eighty-four acres; and is desirous of and planning to acquire additional property for carrying out the above-stated program; and

Whereas, the land is now being prepared for future development to accomplish the purposes as above set out; and

Whereas, the said Association, for the purpose of encouraging the reforestation and conservation program in said County and adjoining counties, has established a nursery on said property, and has given seven hundred fifty thousand seedlings to the farmers of said section, free of charge, and will continue to supply seedlings to the farmers of said County and adjoining counties for the purpose of rehabilitating the depleted forests, without cost, and will give them the benefits derived from experiments carried on at said property at a great cost to said Association; and

Whereas, said Association is demonstrating improved methods of farming on said property for the benefit of the farmers of said County, and is employing fifteen men and expending twelve thousand (\$12,000.00) dollars per year in said County for the purpose of carrying on said work; and in addition thereto, is contributing large amounts in gifts to the needy of that community; and

Preamble: Log Cabin Association created to improve social and living conditions, etc.

Ownership of land in Jackson County; and need for additional property.

Land being prepared for future development.

Association has established nursery in Jackson County; supplies seedlings to farmers.

Association demonstrating improved farming methods, employing men, giving to needy.

Property exempted from Jackson County taxes, 1929-36; continued exemption desired.

Whereas, the Board of Commissioners of Jackson County, by resolution, has exempted said property from taxes for the years one thousand nine hundred twenty-nine to one thousand nine hundred thirty-six, inclusive, and is desirous of continuing said exemption; *Now, Therefore*,

The General Assembly of North Carolina do enact:

Lands of Log Cabin Association in Jackson County, exempted from County taxes.

SECTION 1. That all the lands belonging to The Log Cabin Association in Jackson County be from the ratification of this Act free and exempt from the payment of any and all taxes levied by said County.

Exemption extended to lands acquired in future.

SEC. 2. That any land hereafter acquired by the said Log Cabin Association and used for the purposes of said Association shall be exempt from any taxes levied by Jackson County.

Continuance of exemption; conditions.

SEC. 3. That said exemption from taxation shall continue so long as said lands are owned by the Log Cabin Association and are used for the purpose of said Association.

Conflicting laws repealed.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 11th day of February, A.D. 1937.

H. B. 196

CHAPTER 2

AN ACT TO AUTHORIZE THE REVENUE COMMISSIONER TO REFUND SEVENTY DOLLARS TAX PAID, ON GASOLINE USED IN GINNING COTTON.

Preamble: Gasoline tax refund due to J. C. Norville.

Whereas, J. C. Norville of Rutherfordton, R. F. D. two, during the quarter ending December thirty-first, one thousand nine hundred and thirty-five, used one thousand four hundred gallons of tax-paid gasoline in ginning cotton, on which the refund tax amounted to seventy dollars; and

Claim for refund not received by Revenue Commissioner within legal time.

Whereas, claim for gasoline tax refund was duly executed and mailed to the Revenue Commissioner on January fifteenth, one thousand nine hundred and thirty-six, but same was not received by the Commissioner until January seventeenth, one thousand nine hundred and thirty-six, two days beyond the time prescribed by law for filing claim for such refund; *Now, Therefore*,

The General Assembly of North Carolina do enact:

Revenue Commissioner directed to make refund of gasoline tax to J. C. Norville.

SECTION 1. That the Commissioner of Revenue is hereby authorized and directed to refund to J. C. Norville the sum of seventy dollars, or so much thereof as may be due as per application for refund filed with the Revenue Commissioner on January seventeenth, one thousand nine hundred and thirty-six, as would have been paid had said application been received on January fifteenth, one thousand nine hundred and thirty-six, according to law, the said amount being the gas tax at five

cents per gallon on one thousand four hundred gallons of tax-paid gas used by him during the quarter ending December thirty-first, one thousand nine hundred and thirty-five, in ginning cotton.

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of February, A.D. 1937.

H. B. 251

CHAPTER 3

AN ACT TO AMEND CHAPTER NUMBER TEN OF THE PRIVATE LAWS OF NINETEEN HUNDRED AND THIRTY-ONE, ENTITLED "AN ACT TO CREATE A COMMISSIONER OF THE WILLOW DALE CEMETERY FUND FOR THE CITY OF GOLDSBORO, NORTH CAROLINA."

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter ten of the Private Laws of nineteen hundred and thirty-one be amended by inserting after the word "Carolina" in the tenth line of said section two and before the word "and" the following: "and/or of the County of Wayne, North Carolina, and/or of the City of Goldsboro, North Carolina."

SEC. 2. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of February, A.D. 1937.

Ch. 10, Private Laws, 1931, amended.

Investment of cemetery funds in Bonds of Wayne Co. and City of Goldsboro, authorized.

S. B. 38

CHAPTER 4

AN ACT TO AUTHORIZE THE REGISTRATION OF A COPY OF THE H. W. ROBINSON MAP OF HICKORY.

Whereas, the late W. P. Ivey, during the years one thousand eight hundred sixty-five and one thousand eight hundred seventy prepared a map of the Henry W. Robinson lands in the town of then known as Hickory Tavern and now known as Hickory; and

Whereas, W. P. Ivey did not recall the variation of the magnetic needle at the time of his survey and the map could not be registered under the provisions of chapter fifty-five, Public Laws of North Carolina, session of one thousand nine hundred and eleven; and

Whereas, the original map is upon brown paper, is very fragile and cannot be safely handled; and

Whereas, the aforesaid map shows the division of the Robinson lands into lots and designates numerous streets dedicated to the public use; and

Preamble: Map of Henry W. Robinson lands in Town of Hickory.

Not entitled to registration under Ch. 55, Public Laws, 1911.

Original map fragile.

Shows division of land into lots, etc.

Reproduction of
map.

Whereas, the City of Hickory, during the year one thousand nine hundred and thirty-one, had Messrs. C. M. Sawyer and W. W. Hampton to reproduce said map and make a number of copies thereof: *Now, Therefore*,

The General Assembly of North Carolina do enact:

C. S. C., Catawba
County, directed to
order Register of
Deeds to record re-
production of map,
Robinson map.

SECTION 1. The Clerk of Superior Court of Catawba County is hereby authorized and directed to order the Register of Deeds of Catawba County to record in the office of the Register of Deeds a copy of the "Reproduction of the Original Robinson Brown Paper Map of Hickory, North Carolina, surveyed and platted by W. P. Ivey between the years of one thousand eight hundred sixty-five and one thousand eight hundred seventy;" *provided*, there is attached to such copy or written thereon an oath before a notary public by the City Manager of Hickory to the effect that such copy is one of those prepared by C. M. Sawyer and W. W. Hampton for the City of Hickory during the year one thousand nine hundred and thirty-one. Upon such order, the Register of Deeds of Catawba County, North Carolina, is directed to record same in his office either by transcribing a correct copy thereof or by permanently attaching same in a Book of Plats.

Verification of copy.

Register directed to
record map.

Reproduced map
prima facie correct,
and competent as
evidence.

SEC. 2. The aforesaid reproduced map and the record thereof shall be competent as evidence and shall be deemed to be prima facie correct.

SEC. 3. This Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 17th day of February, A.D. 1937.

H. B. 213

CHAPTER 5

AN ACT TO AUTHORIZE THE COMMISSIONERS OF UNION COUNTY TO COMPENSATE GROVER CLEVELAND MOORE FOR INJURIES RECEIVED WHILE WORKING ON THE HIGHWAY.

Preamble: Grover
Cleveland Moore in-
jured while working
on highway.

Whereas, Grover Cleveland Moore, of Union County, was injured on August fifth, one thousand nine hundred twenty-seven, while working on the highway; and

Total and continuous
disability.

Whereas, as a result of said injury, the said Grover Cleveland Moore became totally disabled and has been continuously disabled since the date of his injury and is at the present time unable to work; *Now, Therefore*,

The General Assembly of North Carolina do enact:

Commissioners, Union
County, authorized to
compensate Grover
Cleveland Moore for
injuries received.

SECTION 1. That the County Commissioners of Union County be, and they are hereby authorized and empowered, in their discretion, to compensate said Grover Cleveland Moore for the injury received while at work for the county by paying to him

an amount which they may deem adequate in one payment or by the payment to him of a stipulated sum each month so long as he may remain disabled and unable to work, as in their discretion they may deem advisable.

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

H. B. 421

CHAPTER 6

AN ACT TO PERMIT S. A. HUBBARD AND CHARLES A. TAYLOR, FORMER OFFICERS OF THE DEFUNCT CENTRAL BANK AND TRUST COMPANY IN BUNCOMBE COUNTY TO FORECLOSE DEEDS OF TRUST, IN WHICH THE SAID BANK IS THE NAMED TRUSTEE.

Whereas, the Central Bank and Trust Company of Asheville in Buncombe County, North Carolina, was finally liquidated on or about December first, one thousand nine hundred thirty-six; and

Whereas, the said bank was and is the named trustee in many instruments of writing concerning real estate owned by others, in which said bank had no beneficial interest; and

Whereas, many of said instruments have not been foreclosed, settled, or released; *Now, Therefore*,

The General Assembly of North Carolina do enact:

SECTION 1. That S. A. Hubbard and Charles A. Taylor, formerly vice president and secretary of the Central Bank and Trust Company, a corporation in the City of Asheville, be given the same power, authority, and duty with reference to the power of sale and other powers given in said instruments and with respect to foreclosure thereof by suit at law, or otherwise, as was originally vested in the said bank or corporate trustee.

SEC. 2. That all foreclosures instituted and completed by the said Central Bank and Trust Company since its liquidation on December first, one thousand nine hundred thirty-six, be and the same are hereby validated and approved to the same extent as if such foreclosures had been instituted and completed in accordance with the provisions of this Act.

SEC. 3. All laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 4. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

Preamble: Central Bank and Trust Company, Asheville, finally liquidated.

Named trustee in many instruments.

Instruments not foreclosed, etc.

S. A. Hubbard and Charles A. Taylor substituted for bank as trustees.

Foreclosures by bank since liquidation validated.

Conflicting laws repealed.

H. B. 505

CHAPTER 7

AN ACT TO AMEND THE CHARTER OF THE YOUNG
MEN'S CHRISTIAN ASSOCIATION, OF ASHEVILLE,
NORTH CAROLINA.*The General Assembly of North Carolina do enact:*

Ch. 92, Private
Laws 1892, amend-
ed, omitting provision
limiting powers as to
property rights.

SECTION 1. That section two of chapter ninety-two of the Private Laws of North Carolina, session of one thousand eight hundred ninety-one, be, and the same is hereby amended by striking out the phrase "not to exceed seventy-five thousand (\$75,000.00) dollars" immediately following the word "hereditaments" in said section.

Act further amended.

SEC. 2. That chapter ninety-two of the Private Laws of North Carolina, session of one thousand eight hundred ninety-one be amended by striking out present section four thereof, and inserting a new section four to read as follows:

Y. M. C. A., Ashe-
ville, managed by
Board of Directors.

"Sec. 4. The property, business and affairs of said association shall be managed and controlled by a board of directors to consist of not less than twelve and no more than thirty members. The number, qualifications, terms of office and method of election of the directors shall be as fixed and determined by the Constitution and By-Laws of said association. Said association shall be able and capable in law by and with the consent of its board of directors, to bargain, sell, grant, convey and mortgage to any person or corporation all such lands, tenements, rents, annuities and other hereditaments which it now owns or may hereafter acquire for the use and benefit of said association, but said land and real estate shall not be liable for any future debt or obligation of said association unless the same shall have been contracted with the approval of said board of directors."

Number, qualifica-
tions, etc. fixed by
Constitution and
By-Laws.

Powers of Asso-
ciation.

Board approval re-
quired to subject
real estate to future
debt.

Conflicting laws
repealed.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 1st day of March, A.D. 1937.

H. B. 151

CHAPTER 8

AN ACT CREATING THE RICHMOND FLYING CLUB OF
ROCKINGHAM, NORTH CAROLINA*The General Assembly of North Carolina do enact:*

Richmond Flying
Club of Rockingham
created.

SECTION 1. That there is hereby created the Richmond Flying Club of Rockingham, North Carolina, which shall be a non-stock, non-profit organization, and non-property owning.

Purpose.

SEC. 2. That the purpose of said club shall be to promote the art and science of flying.

SEC. 3. That this club shall not have the power to contract debts of any kind whatsoever, and shall not have the power to employ or authorize any person to obligate the club in any manner.

No power to create obligations.

SEC. 4. The club shall not be liable for or responsible for the acts of any one or more of its members, and the club or its members, shall not be liable for any tort or other liability—creating act committed by another of its members.

Not liable for acts of members.

SEC. 5. That said club shall not have the right to sue in any court, and the club shall be immune from damages of any character.

No right to sue or be sued.

SEC. 6. That said club shall not be liable for any injuries sustained by any of its members, or the death of any of its members.

No liability for injuries to, or death of, members.

SEC. 7. That the members of said club shall adopt by-laws consistent with the provisions of this Act, and each member shall in the presence of another member execute in his own hand said by-laws. That said club shall elect a president and secretary, and said officers shall execute and deliver to each member a card of membership.

By-Laws.

Officers.

Membership card.

SEC. 8. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 9. That this Act shall be in^e force from and after its ratification.

In the General Assembly read three times and ratified, this the 5th day of March, A.D. 1937.

S. B. 135

CHAPTER 9

AN ACT TO AUTHORIZE THE BUNCOMBE COUNTY BOARD OF EDUCATION TO CONVEY CERTAIN LANDS TO THE AMERICAN ENKA CORPORATION.

Whereas, the American Enka Corporation, of Enka, Buncombe County, North Carolina, purchased and became the owner of a tract of land of some two thousand acres in the County of Buncombe in the year one thousand nine hundred and twenty-eight, situated partly in what was then Sand Hill School District and Choctaw School District; and

Preamble: American Enka Corporation, owner of land in Buncombe County.

Location of land.

Whereas, the Choctaw School District has been consolidated with and has become a part of the Sand Hill School District, and the school building heretofore known as the Choctaw School has been abandoned for school purposes by the Buncombe County Board of Education; and

School districts consolidated.

Choctaw School building abandoned for school purposes.

Whereas, to improve the school facilities within the Sand Hill School District and Choctaw School District, the said American Enka Corporation, on or about September eighth, one thousand nine hundred and thirty, conveyed by deed of gift for which it received no consideration whatever, a certain piece or parcel of

Land donated for school purposes, by Enka Corporation.

land situate, lying and being in Lower Hominy Township, Buncombe County, North Carolina, bounded and more particularly described as follows:

Description of land.
(First tract)

Beginning at a stake standing South 17 deg. 05' East 330 feet from the Southeast corner of the property of the Southern Dairies, which corner is also South 0 deg. 30' West 110.55 feet from a concrete monument standing in the West line of American Enka Corporation and the East line of Southern Dairies, running South 0 deg. 30' West from the center of the main line track of the Murphy Branch of the Southern Railway Company, as shown on plat attached hereto, and runs thence South 17 deg. 05' East 310 feet to a stake; thence North 68 deg. 10' East 717.4 feet to a point located in the center line of the Sand Hill Road; thence North 24 deg. 05' West 319.4 feet with the center line of said Sand Hill Road; thence South 68 deg. 10' West 678.8 feet to a stake; the place beginning; excepting, however, so much of said land as is within the right of way over the Sand Hill Road.

and

Bonds issued and sold by Sand Hill School District to erect building.

Whereas, in order to carry out the intent of the Buncombe County Board of Education, fifty thousand dollars (\$50,000.00) of bonds were authorized at a special election for said Sand Hill School District and said bonds were issued and sold and the proceeds therefrom obtained for the purpose of erecting a school building upon the aforesaid tract of land; and

Proceeds of bond sale lost in Central Bank & Trust Co.

Whereas, the proceeds of the sale of said bonds were deposited in the Central Bank & Trust Company of Asheville and lost when the Central Bank & Trust Company failed, so that the purposes of the conveyance of said land and the intention of the Buncombe County Board of Education to erect thereon a school building could not be carried out; and

Payment of 80% of Sand Hill School District bond obligations by American Enka Corporation.

Whereas, owing to the value of the property of the American Enka Corporation situated in said Sand Hill School District, the said American Enka Corporation will of necessity pay approximately eighty per cent of the principal and interest of said bonds, or forty thousand dollars (\$40,000.00) of the principal of fifty thousand dollars (\$50,000.00), for which it will receive no benefit whatever; and

Lands not used for school purposes.

Whereas, the lands hereinabove described have not been used for school purposes by the Buncombe County Board of Education, and it is not the intention of said board now nor at any future date to use said land for school purposes; and

Choctaw School property located in Lower Hominy Township.

Whereas, the property known as the Choctaw School property is a piece, parcel or tract of land situate, lying and being in Lower Hominy Township, Buncombe County, North Carolina, bounded and more particularly described as follows, to-wit:

Description.
(Second tract)

Beginning at a stake at the Northwest corner of what was formerly C. O'Kelly's tract in the South line of the T. P. Jones tract and running thence South 11 deg. 0' West 379.50 feet to a point in the center of William Moore's Creek Road; thence with said Road, two calls as follows: North 55 deg. 0' West

198.00 feet; thence North 21 deg. 0' West 297.00 feet; thence leaving said Road, South 88 deg. 0' East 343.20 feet to the beginning. Being the school lot shown upon a plat made by Charles E. Waddell & Company, Engineers, No. 2282-F4-1, and containing approximately 2 acres more or less. Which is entirely surrounded by real property belonging to the American Enka Corporation; and

Whereas, the American Enka Corporation maintained fire insurance coverage in the amount of one thousand dollars (\$1,000.00) at its own cost and expense, upon a farm house situated upon the first tract of land hereinabove described; and

Whereas, said farm house was destroyed by fire and American Enka Corporation collected said sum of one thousand dollars (\$1,000.00) and, in the meantime, has collected rents from said property in the sum of two hundred twenty-two dollars and fifty cents (\$222.50); and

Whereas, on or about the twenty-sixth day of June, one thousand nine hundred and thirty-six, the said American Enka Corporation turned over to the Buncombe County Board of Education the sum of one thousand two hundred twenty-two dollars and fifty cents (\$1,222.50), representing the proceeds of said fire insurance and the rents collected as aforesaid; and

Whereas, said Choctaw School District having been consolidated with the Sand Hill School District and the second tract of land hereinabove described, together with the improvement thereon, having been abandoned for school purposes, the Buncombe County Board of Education has no intention now or at any future date of using said Choctaw School property for school purposes; and

Whereas, the proceeds from said fire insurance and rent in the sum of one thousand two hundred twenty-two dollars and fifty cents (\$1,222.50) paid by said American Enka Corporation to the Buncombe County Board of Education is far in excess of the value of said Choctaw School property: *Now, Therefore,*

The General Assembly of North Carolina do enact:

SECTION 1. That the Buncombe County Board of Education, for the considerations aforesaid, be and it is hereby authorized and empowered to convey by good and sufficient deed or deeds to the American Enka Corporations, its successors or assigns, the real property hereinabove described.

SEC. 2. That this Act shall be in full force and effect from and after the date of its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A.D. 1937.

Fire insurance carried by corporation.

House destroyed by fire.

Insurance and rents collected by American Enka Corporation.

Collections paid to Buncombe County Board of Education.

No intent to use Choctaw School property for school purposes.

Funds paid to Board of Education exceed value of Choctaw School property.

Buncombe County Board of Education authorized to convey tracts described to American Enka Corporation.

S. B. 204

CHAPTER 10

AN ACT TO DEFINE THE BOUNDARIES OF CARVERS CREEK CEMETERY, CARVERS CREEK TOWNSHIP, BLADEN COUNTY, AND TO APPOINT TRUSTEES FOR SAID CEMETERY.

The General Assembly of North Carolina do enact:

Carvers Creek Cemetery, Bladen County, created.

SECTION 1. That the hereinafter described lot of land in Carvers Creek Township, Bladen County, shall be known and designated as "Carvers Creek Cemetery." The boundaries of said cemetery shall be as follows:

Boundaries described.

"Lying and being on the West side of the Wilmington-Fayetteville State Highway number twenty-eight and containing approximately ten acres, bounded on the North by the lands of the Carvers Creek Methodist Episcopal Church grounds, on the West by the lands of Alex Stevens, on the South by the lands of James C. Lewis, and on the East by the Wilmington-Fayetteville State Highway number twenty-eight."

Appointment of trustees.

SEC. 2. That Charles L. Braddy, W. D. Maultsby, J. Edgar Flowers, Neill M. Gilliam and John W. Bordeaux be, and they are hereby, appointed Trustees of the said Carvers Creek Cemetery. That it shall be the duty of said trustees to provide for the upkeep of said cemetery, to keep up the corners, protect growth and lay off and designate burial plots. That any vacancy occurring among said trustees from death, resignation or otherwise shall be filled by the remaining trustees.

Duties.

Vacancies.

Trespassing on Cemetery properties made misdemeanor.

SEC. 3. That any person found trespassing on said Carvers Creek Cemetery shall be guilty of a misdemeanor and upon conviction shall be fined not more than fifty dollars or imprisoned not more than thirty days.

SEC. 4. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A.D. 1937.

S. B. 235

CHAPTER 11

AN ACT FOR THE RELIEF OF C. B. SKIPPER, CLERK OF THE SUPERIOR COURT OF ROBESON COUNTY.

Preamble: Funds deposited by C. B. Skipper, C. S. C., Robeson County, in Bank at time of closing.

Whereas, C. B. Skipper, Clerk of the Superior Court of Robeson County, had on deposit in the Planters Bank and Trust Company at the time of its closing on the twenty-first of December, one thousand nine hundred thirty-one, the sum of three thousand nine hundred and five dollars and seven cents (\$3,905.07); and

Balance due, after dividends, of \$597.46.

Whereas, said sum has been reduced by dividends of three thousand three hundred and seven dollars and sixty one cents (\$3,307.61) leaving a balance due him of five hundred and

ninety seven dollars and forty six cents (\$597.46) as shown by Receivers Certificate number three hundred and seventeen; and

Whereas, said C. B. Skipper, had on deposit in the Bank of St. Pauls a Certificate of Deposit which had been delivered to him by J. F. Nash, executor of the estate of N. A. Johnson, for one hundred and twenty eight dollars and ninety five cents (\$128.95); and

Whereas, said sum has been reduced by dividends of forty eight dollars and eleven cents (\$48.11), leaving the balance due him of eighty dollars and eighty four cents (\$80.84), the same being shown by Receivers Certificate number five hundred and thirty, dated the twenty-second of January, one thousand nine hundred and thirty-four; *Now, Therefore*,

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Robeson County be, and they are hereby authorized and directed to pay to C. B. Skipper, Clerk of the Superior Court of Robeson County, the sum of five hundred and ninety seven dollars and forty six cents (\$597.46) for money lost in the Planters Bank and Trust Company, on his account as Clerk of the Superior Court of Robeson County, North Carolina, and that said Board of Commissioners of Robeson County be, and they are hereby directed to pay to C. B. Skipper, Clerk of the Superior Court of Robeson County, the sum of eighty dollars and eighty four cents (\$80.84), making a total of six hundred and seventy eight dollars and thirty cents (\$678.30), which said sum of six hundred and seventy eight dollars and thirty cents (\$678.30) the said Board of County Commissioners of Robeson County are hereby directed to pay to said C. B. Skipper, Clerk of the Superior Court of Robeson County.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 3. That this Act shall be in full force from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A.D. 1937.

Other funds on deposit in Bank of St. Pauls at time of closing.

Sum due reduced by dividends to \$80.84.

Commissioners, Robeson County, directed to pay C. B. Skipper, C. S. C., \$597.46, for money lost in Planters Bank & Trust Co.

Said Commissioners directed to pay Skipper \$80.84 for money lost in Bank of St. Pauls.

Conflicting laws repealed.

H. B. 351

CHAPTER 12

AN ACT TO REPEAL CHAPTER THREE OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-THREE RELATING TO THE SALE OF PULP TIMBER ON THE WAYNESVILLE WATERSHED.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three of the Private Laws of one thousand nine hundred and thirty-three, providing for the sale of pulp timber on the watershed of the town of Waynesville, be and the same is hereby repealed.

Ch. 3, Private Laws, 1933, relating to sale of pulp timber on Waynesville watershed, repealed.

Conflicting laws
repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, A.D. 1937.

H. B. 234

CHAPTER 13

AN ACT TO AUTHORIZE THE TREASURER TO PAY THE SUM OF FIFTY-THREE DOLLARS AND SIXTY CENTS (\$53.60) TO THE CAPITAL PRINTING COMPANY, RALEIGH, NORTH CAROLINA, FOR PRINTING FOR THE OFFICE OF THE SECRETARY OF STATE.

Preamble: 500 copies
of 1935 Omnibus
Justice of the Peace
Bill, printed by Capital
Printing Co.

Whereas, on May ninth, one thousand nine hundred and thirty-five, Capital Printing Company of Raleigh, by order of the Secretary of State, had delivered to him five hundred copies of House Bill number one thousand seventy-seven, known as the Omnibus Justice of the Peace Bill; and,

Whereas, payment has never been made for said work, though its correctness is undisputed, due to the shortage of funds in the office of the said Secretary of State; *Now, Therefore*,

The General Assembly of North Carolina do enact:

State Officials directed
to pay Capital
Printing Company
\$53.60 for printing.

SECTION 1. That the State Auditor is hereby directed to issue a warrant and the State Treasurer to pay to the Capital Printing Company the sum of fifty-three dollars and sixty cents (\$53.60) in full satisfaction of account due for printing for the office of the Secretary of State in May, one thousand nine hundred and thirty-five.

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A.D. 1937.

H. B. 320

CHAPTER 14

AN ACT TO AUTHORIZE AND EMPOWER THE EXECUTIVE COMMITTEE OF THE BOARD OF TRUSTEES OF THE UNIVERSITY OF NORTH CAROLINA TO SURRENDER AND RELEASE THE RIGHT, TITLE AND INTEREST OF THE UNIVERSITY UNDER THE LAST WILL AND TESTAMENT OF JUDGE WILLIAM PRESTON BYNUM, DECEASED.

Executive Committee
of Board of Trustees,
U. N. C., authorized
to release claim under
will of W. P.
Bynum.

The General Assembly of North Carolina do enact:

SECTION 1. That the Executive Committee of the Board of Trustees of the University of North Carolina be and they are hereby authorized and empowered to surrender and release

unto Mrs. Mary F. Bynum, widow of the late William Preston Bynum, all of the right, title, interest and claim of the university under the last will and testament of the said William Preston Bynum.

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A.D. 1937.

H. B. 362

CHAPTER 15

AN ACT FOR THE RELIEF OF ROY EDWARD FISHER, FORMER STATE HIGHWAY PATROLMAN, FOR INJURIES RECEIVED IN LINE OF DUTY.

Whereas, Roy Edward Fisher, on the twenty-fifth day of September, one thousand nine hundred and thirty-one, while he was about his official duties as a Highway Patrolman on State Highway number ten, at or near the Town of Burlington, in Alamance County, was thrown from his motorcycle, and suffered severe injuries to his right ankle and foot; and

Preamble: R. E. Fisher, Highway Patrolman, injured in line of duty.

Whereas, he was taken to various hospitals and doctors for treatment of the bones in said ankle and foot for a period of approximately five years; and

Hospital and medical treatment necessary.

Whereas, the bones in the said ankle and foot being so severely crushed and mutilated that they failed to knit and heal properly, that the said former highway patrolman, due to such constant and severe pain was compelled, in order to relieve himself of further suffering, to have his right leg amputated below the knee; and

Patrolman's right leg amputated.

Whereas, the said Fisher, not understanding the provisions of the Workmen's Compensation Law, and through no fault of his own, allowed the Statute of Limitations relative to the allowance of further compensation for the injury, which arose out of and in the course of his employment, to run to the extent that he now, under the Workmen's Compensation Law, cannot secure compensation for the loss of his right leg; *Now, Therefore*,

Compensation not obtainable now under Workmen's Compensation Act.

The General Assembly of North Carolina do enact:

SECTION 1. That A. J. Maxwell, Commissioner of Revenue, State of North Carolina, be and he is hereby empowered and directed to provide and maintain an artificial limb for the said Roy Edward Fisher, the cost of same to be paid out of the funds of the State Department of Revenue; and he is hereby further authorized and directed to pay to the said Roy Edward Fisher the lump sum of nine hundred ninety-five and no/100 dollars, (\$995.00), said sum being the amount which would have been paid him had he been compensated for the loss of a limb under

Commissioner of Revenue directed to provide artificial limb for R. E. Fisher.

Compensation for loss of limb ordered paid.

the provisions of the North Carolina Workmen's Compensation Act.

Reimbursement for hospital and medical expenses, ordered.

SEC. 2. The Commissioner of Revenue is hereby further authorized and directed to reimburse the said Roy Edward Fisher for his actual expenses incurred incident to the amputation of his leg in the amount of seventy-nine dollars (\$79.00), for hospitalization, and the sum of one hundred fifteen dollars (\$115.00) surgeon's fees.

Conflicting laws repealed.

SEC. 3. All laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 4. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A.D. 1937.

H. B. 565

CHAPTER 16

AN ACT TO CREATE A PEACE OFFICERS' RELIEF FUND FOR THE COUNTY OF HERTFORD.

The General Assembly of North Carolina do enact:

Short title: "Hertford County Peace Officers' Relief Act."

"Peace Officers" defined.

SECTION 1. Short Title. That this Act shall be known and may be cited as the Hertford County Peace Officers' Relief Act.

SEC. 2. Definitions. Peace officers shall be deemed to include all peace officers of the County of Hertford, North Carolina, or sub-divisions thereof including all cities, towns and members of the State Highway Patrol, who are required by the terms of their employment or election to give their full time to the preservation of public order, the protection of life and property, and the detection of crime; and all special officers or citizens who are injured or killed while aiding or assisting regular peace officers or while acting as such peace officer.

Hertford County Peace Officers' Protective Association created.

Membership.

SEC. 3. Creation of Association. An association to be known and designated as the Hertford County Peace Officers' Protective Association shall be formed, the membership of which shall include all peace officers in Hertford County and the members of the State Highway Patrol as defined above.

Application for membership.

SEC. 4. Registration. Peace officers who are entitled to membership in the association, in order to share in the benefits provided for in this Act, shall make application for membership in the association on blanks to be furnished for that purpose, giving such information as may be required by said association, and shall pay an initiation fee and annual dues to be fixed by the Executive Board, hereinafter provided for, *provided, however*, that such initiation fee shall not exceed five dollars (\$5.00) and such dues shall not exceed twelve dollars (\$12.00) per annum. *Provided further*, that the provisions of this section shall not apply to special officers or citizens who have not had a reasonable time from date they were appointed, summoned or deputized, to register with said association. And

Initiation fee and annual dues.

Exceptions.

provided further, that said reasonable time shall not exceed thirty days.

SEC. 5. Creation of Executive Board. The Executive Board shall consist of the Mayor of Ahoskie, the Mayor of Winton, the Mayor of Murfreesboro, the Chief of Police of Murfreesboro, the Chief of Police of Ahoskie, and the County Commissioner of Maney's Neck Township and the Sheriff of Hertford County. The said board shall elect a chairman at its first meeting in each year. A majority of the members of said Executive Board shall constitute a quorum for the transaction of business.

SEC. 6. Source of Revenue. That in all criminal cases in Hertford County, North Carolina, brought in all courts wherein the defendant enters a plea of *nolo contendere*, a plea of guilty, or shall be adjudged guilty by the court or found guilty by a jury, wherein the costs of the action are paid by the defendant, there shall be taxed in the bill of costs a fee of one dollar (\$1.00) to be known as the Peace Officers' Emergency Fee, and shall be collected as other costs in criminal cases are collected, by the justice of the peace, clerk, or other officer of the court authorized to receive costs; such funds so received shall be accounted for monthly, a copy of which report shall be sent to the chairman of the Executive Board, and such funds turned over to the Treasurer of the Hertford County Peace Officers' Protective Association to be held by him and securely kept for the purpose of the association. *Provided, however*, that such officers' emergency fee, shall not be taxed in the costs in cases where the cost is paid by the county. Donations and contributions to said Hertford County Peace Officers' Protective Association may be received from any source approved by the Executive Board.

SEC. 7. Application of Fund. The money so paid into the hands of the Treasurer of the Hertford County Peace Officers' Protective Association shall be known as the Hertford County Peace Officers' Relief Fund, and shall be used as a fund for the relief of members of said association who may be injured or rendered sick by disease contracted in the actual discharge of duty as a peace officer, and for the relief of their widows and children and if there be no widows and children, then dependent mothers of such officers killed or dying from injuries or disease so contracted in such discharge of duty, and as a pension fund for peace officers grown old in line of duty, and also for the benefit of special officer or citizens injured as such peace officers. All persons entitled to benefits under this section shall make application to the Executive Board, above provided for, and said Executive Board shall investigate each such application and shall determine what benefits shall be paid. The decision of the Executive Board shall be final and conclusive as to what persons are entitled to benefits and as to the amount of the benefit to be paid, and said Executive Board shall

Executive Board created.

Membership.

Election of Chairman.

Quorum.

Peace Officers' Emergency Fee to be paid as part of costs in criminal cases, Hertford County.

Collected as other costs.

Monthly accounting of funds received.

Funds kept for purpose of Association.

Fee not taxed in certain cases.

Association authorized to receive donations.

Hertford County Peace Officers' Relief Fund.

For relief of members injured or rendered sick in discharge of duties.

For relief of members' widows, children, or dependent mothers.

For old age pensions.

For benefit special officers injured.

Determination of benefits.

Decision of Board final.

Power given Board to increase or decrease monthly benefits.

Suits to recover benefits not permitted.

Proceedings to compel officer or committee to perform omitted duty, not prevented.

County Accountant to be Treasurer of Association.

Bond.

Annual reports.

Investment of accumulated funds.

Disbursements.

No salary for officers and Board members.

Secretary's salary. Supplies.

Constitution and By-Laws.

Board authorized to insure members of Association against death or disability or both.

Group insurance.

Funds exempt from taxation.

Violations of provisions made misdemeanor.

have power to increase or decrease monthly benefits at any time, and no action at law or suit in equity shall be maintained against said association to enforce any claim or recover any benefit under this article or under the Constitution and By-Laws of said association; but if any officer or committee of said association omit or refuse to perform any duty imposed upon him or them, nothing therein contained shall be construed to prevent any proceedings against said officer or committee to compel him or them to perform such duty.

SEC. 8. The Treasurer shall be The County Accountant of Hertford County, North Carolina. The treasurer shall give good and sufficient surety in a sum not less than the amount of money on hand, such bond to be paid for out of the funds of the association, and shall make annual reports to the Executive Board showing the total amount of money in his hands at the time of the filing of the report, and also an account of receipts and expenditures since his last report. The accumulated funds of the association may be invested in bonds and securities unanimously approved by the Executive Board. All interest and other income received from investment or deposits shall be added to the principal of said fund. Expenditures shall only be made upon vouchers properly signed by the chairman of the Executive Board, the secretary, and the treasurer.

SEC. 9. Salaries and Expenses. All officers and members of the Executive Board shall serve without compensation, and no salaries shall be paid except an appropriation of five dollars (\$5.00) per month for a secretary who shall be appointed by the Executive Board. Necessary office and stationery supplies shall be paid for out of the funds of the association.

SEC. 10. The Hertford County Peace Officers' Protective Association shall adopt a Constitution and By-Laws, to be approved by the Executive Board, suitable for carrying out the provisions and purposes of this Act.

SEC. 11. The Executive Board shall have authority to insure the members of the Hertford County Peace Officers' Protective Association against death or disability, or both, during the terms of their employment or terms of office, under forms of insurance known as group insurance or other insurance, and the premiums on such insurance to be payable out of the funds of the association.

SEC. 12. Funds not Taxable. The current or accumulated funds of the association shall not be subject to state, county, or municipal taxation.

SEC. 13. This Act shall be in full force and effect from and after its ratification.

SEC. 14. Any person, firm or corporation guilty of violating any provisions of this Act shall be guilty of a misdemeanor and shall be fined or imprisoned or both within the discretion of court.

In the General Assembly read three times and ratified, this the 10th day of March, A.D. 1937.

H. B. 659

CHAPTER 17

AN ACT AUTHORIZING KNOX M. LEWIS, OF ROBESON COUNTY, TO PRACTICE VETERINARY MEDICINE OR SURGERY IN ROBESON AND HOKE COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That Knox M. Lewis, of Robeson County, is hereby authorized and empowered to practice veterinary medicine or surgery within the Counties of Robeson and Hoke, with all the rights and authority now possessed or hereafter possessed, by veterinary practitioners licensed by the North Carolina State Veterinary Medical Association, and his said practice shall be confined exclusively to the said Counties of Robeson and Hoke.

Knox M. Lewis
authorized to practice
as veterinarian,
within Robeson and
Hoke Counties.

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A.D. 1937.

H. B. 687

CHAPTER 18

AN ACT TO ENCOURAGE INDUSTRIAL AND CIVIC DEVELOPMENT OF THE TOWN OF BURNSVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. The Board of County Commissioners of Yancey County and the governing authorities of the Town of Burnsville, be, and they are hereby, vested with the power to exempt from taxation any community or club building held and used by the civic clubs, American Legion and the Masonic Order, situate in the Town of Burnsville, but the exercise of said power shall be discretionary with the Board of County Commissioners of Yancey County and the governing authorities of the Town of Burnsville.

Yancey County and
Town of Burnsville,
authorized to grant
tax exemption to
civic clubs, etc.

SEC. 2. That all laws, or clauses of laws, in conflict with this Act, are hereby repealed.

Conflicting laws
repealed.

SEC. 3. That this Act shall be in full force from and after its ratification.

In the General Assembly read three times and ratified, this the 10th day of March, A.D. 1937.

H. B. 56

CHAPTER 19

AN ACT IN RELATION TO THE DEATH OF ELMER L. HEDGEPEETH, JR., OF FAIRMONT, NORTH CAROLINA.

Whereas, on November fifteen, one thousand nine hundred thirty-five, at Fairmont, North Carolina, Elmer L. Hedgepeth, Jr., a pupil in the Robeson County Schools, was stricken and fatally injured by a school bus; and

Preamble: Elmer L.
Hedgepeth, Jr., pupil,
Robeson County
Schools, killed by
school bus.

No statutory provision for compensation.

Pupil fatally injured by negligence of school bus driver.

Requests for grant of relief on account said death.

State School Commission directed to pay Elmer L. Hedgepeth, Sr. sums not to exceed \$600.00.

Statement of expenses required.

Conflicting laws repealed.

Whereas, it is not now provided by general statute for compensation in such cases when the injured party was not a passenger on a school bus; and

Whereas, the said Elmer L. Hedgepeth, Jr., was traveling along the sidewalk near the Fairmont Graded School building in connection with his attendance at said school and was fatally injured by the negligence of the driver of a school bus operated by the State of North Carolina; and

Whereas, the local board of the Fairmont School District and the Robeson County Board of Education request that relief be granted on account of the death of Elmer L. Hedgepeth, Jr., as herein set out, which request is approved by the Board of Commissioners of Robeson County; *Now, Therefore*,

The General Assembly of North Carolina do enact:

SECTION 1. That the State School Commission be and it is hereby authorized and directed to pay to Elmer L. Hedgepeth, Sr., father of Elmer L. Hedgepeth, Jr., actual expenses incurred by him relative to the injury and subsequent death of his son, including funeral expenses, not to exceed the sum of six hundred dollars, (\$600.00). The right to compensation authorized by this Act shall not be paid unless and until an itemized, verified statement has been presented to the State School Commission and approved by it.

SEC. 2. All laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 224

CHAPTER 20

AN ACT RELATIVE TO THE DEATH OF DORIS HUGHES, OF BERTIE COUNTY, NORTH CAROLINA.

Preamble: Doris Hughes, school pupil, Bertie County, fatally injured by school bus.

Whereas, during the school year one thousand nine hundred and thirty-six-thirty-seven, while en route home from school on the Merry Hill Road in Bertie County on January eleventh, one thousand nine hundred and thirty-seven, without fault on her part, Doris Hughes, an eight year old pupil, daughter of Charlie Hughes, immediately after having alighted from a school bus and while crossing the road in front of it, through the negligence of the driver of said school bus, was stricken down, run over by said bus, and suffered injuries from which she later died; and,

Child's father unable to pay medical and funeral expenses.

Whereas, the said Charlie Hughes is unable to pay the doctor's fees, hospitalization, and funeral expenses which were incurred by him as a result of the accident and subsequent injury and death of his daughter, and

*Whereas, the said Charlie Hughes has no remedy at law; No legal remedy.
Now, Therefore,*

The General Assembly of North Carolina do enact:

SECTION 1. That the State School Commission be and it is hereby authorized and directed to pay to Charlie Hughes actual expenses incurred by him relative to the injury and subsequent death of his daughter, including funeral expenses, not to exceed the sum of six hundred dollars (\$600.00). The right to compensation authorized by this Act shall not be paid unless and until an itemized, verified statement has been presented to the State School Commission and approved by it.

State School Commission directed to pay Charlie Hughes for actual expenses incurred not to exceed \$600.

SEC. 2. All laws and clauses of laws in conflict with this Act are hereby repealed.

Statement of expenses required.

SEC. 3. This Act shall be in full force and effect from and after its ratification.

Conflicting laws repealed.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 398

CHAPTER 21

AN ACT RATIFYING AND VALIDATING THE ACTS OF WILLIAM A. STROUD, FORMER CLERK OF THE SUPERIOR COURT OF WILKES COUNTY, IN APPOINTING TRUSTEES TO TAKE CHARGE OF AND MANAGE THE AFFAIRS OF THE NORTH WILKESBORO ACADEMICAL AND INDUSTRIAL INSTITUTE FOR THE COLORED RACE.

The General Assembly of North Carolina do enact:

SECTION 1. That the Acts of William A. Stroud under date of September twenty-sixth, one thousand nine hundred thirty-four, Clerk of the Superior Court, appointing the following named persons as trustees of the North Wilkesboro Academical and Industrial Institute for the colored race, be, and the same are, hereby in all respects validated and ratified, and the following named persons are appointed as trustees to take charge of and manage the property in the County of Wilkes known as the North Wilkesboro Academical and Industrial Institute for the colored race, to-wit: W. A. Watkins, S. C. Turner, C. I. Watkins, L. F. Harris, E. L. Goldin, S. A. Grimes, Joseph Bowers, C. M. Petty, S. T. Davenport, R. C. Barber, C. C. Luper and Harrison Glenn.

Acts of Wm. A. Stroud, former C. S. C., Wilkes County, appointing trustees, North Wilkesboro Academical and Industrial Institute, validated.

Trustees named.

SEC. 2. That the above named trustees shall have the same power and duties as the original trustees heretofore appointed under Act of the General Assembly under date of the twenty-third day of February, one thousand eight hundred ninety-five.

Powers and duties.

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 4. That the Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 483

CHAPTER 22

AN ACT TO AMEND CHAPTER ONE OF THE PRIVATE LAWS OF THE SESSION OF ONE THOUSAND NINE HUNDRED THIRTY-ONE, RELATING TO COMPENSATION OF COTTON WEIGHER FOR MONROE, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Ch. 1, Private Laws, 1931, amended, to raise cotton weighing fee, Town of Monroe.

SECTION 1. That chapter one of the Private Laws of the State of North Carolina, session of one thousand nine hundred thirty-one, be amended as follows:

By striking out the word "eight" in line two of section one and in lines three and four of section two and substituting in place thereof the word "ten."

Conflicting laws repealed.

SEC. 2. That all laws and clauses of laws in conflict herewith are hereby repealed.

SEC. 3. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 714

CHAPTER 23

AN ACT TO AMEND CHAPTER FOUR HUNDRED AND NINETY-SEVEN OF THE PRIVATE LAWS OF NORTH CAROLINA, SESSION ONE THOUSAND NINE HUNDRED AND SEVEN, RELATING TO THE LIMITS OF THE TOWN OF BURGAW.

Preamble: Ch. 497, Private Laws, 1907, relating to Town limits of Burgaw, enacted.

Amended prior law.

Whereas, at the one thousand nine hundred and seven session of the General Assembly of North Carolina, an Act was passed, relating to the limits of the Town of Burgaw, North Carolina, same being chapter four hundred and ninety-seven of the Private Laws of North Carolina, session one thousand nine hundred and seven, amending chapter twenty-three of the Private Laws of North Carolina, session one thousand eight hundred and seventy-nine; and

Error in drafting bill.

Whereas, in drafting the bill for enactment, the draftsman inadvertently made an error by transposing certain words in line six, of section one of said chapter four hundred and ninety-seven of said Private Laws of North Carolina, session one thousand nine hundred and seven, causing the words to read

"two miles square," when in fact it was the intention of the draftsman and of the General Assembly that said words should read "two square miles;" and

"Two miles square" intended to be "two square miles."

Whereas, the officials of the Town of Burgaw have since that date regarded the area of said town to be "two square miles," in levying and assessing taxes; and

Area of Town regarded as two square miles for tax purposes.

Whereas, it is the purpose and intention of this Act to make the necessary correction which will speak the truth and intent of said former Act; Now, Therefore,

Purpose of Act to make correction.

The General Assembly of North Carolina do enact:

SECTION 1. That the Private Laws of the State of North Carolina, session one thousand nine hundred and seven, chapter four hundred and ninety-seven, be amended by striking out the words "two miles square" in line six of section one, and inserting in lieu thereof the words "two square miles."

Ch. 497, Private Laws, 1907, amended to fix area of Town of Burgaw, "two square miles."

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 781

CHAPTER 24

AN ACT TO AMEND HOUSE BILL NUMBER SIX HUNDRED THIRTY-FOUR OF THE PRESENT SESSION OF THE GENERAL ASSEMBLY OF NORTH CAROLINA, RELATIVE TO THE FIREMEN'S PENSION FUND OF WILMINGTON, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill number six hundred thirty-four of the present session of the General Assembly of North Carolina, be amended as follows: By striking out at the end of section eleven the "period" and adding the following: ", that G. T. Williamson be given credit for the total amount of years served in said department regardless of consecutive service in computing his said pension, and the said G. T. Williamson and R. M. Padrick shall be entitled to a pension under this Act upon each reaching the age of fifty-five years, or after having served twenty years in the service of said Fire Department, and may be retired by said Board of Trustees with the full benefits as provided in said Pension Bill."

H. B. No. 634, Ch. 26, Private Laws, 1937, amended.

G. T. Williamson credited with total years service, regardless of continuity, in computing pension.
G. T. Williamson, R. M. Padrick, entitled to pensions at age 55 or after 20 years service.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 13th day of March, A.D. 1937.

H. B. 632

CHAPTER 25

AN ACT TO PROVIDE COMPENSATION TO ISAAC H. EDWARDS FOR INJURY SUSTAINED BY HIS DAUGHTER, LUCILLE EDWARDS, WHILE RIDING ON A SCHOOL BUS NEAR CHOCOWINITY IN BEAUFORT COUNTY.

Preamble: Lucille Edwards, school girl, Beaufort County, injured on school bus.

Whereas, during the school term of the year one thousand nine hundred thirty-three-thirty-four while riding on a school bus at or near Chocowinity in Beaufort County, without fault on her part, Lucille Edwards, daughter of Isaac H. Edwards, school girl, fourteen years of age, was thrown off a seat in the bus, breaking her back in two places; and

Father of said girl unable to pay medical expenses.

Whereas, the said Isaac H. Edwards, father of Lucille Edwards, is unable to pay doctors' fees and hospitalization which have been incurred in the course of treatment of said injuries; and

No legal remedy.

Whereas, the said Isaac H. Edwards has no remedy at law; *Now, Therefore*,

The General Assembly of North Carolina do enact:

State School Commission directed to pay Isaac H. Edwards \$287.75, expenses for daughter's treatment.

SECTION 1. That the State School Commission of North Carolina be and it is hereby authorized and directed to pay to Isaac H. Edwards of Beaufort County, North Carolina, the father of Lucille Edwards, who was injured as above set forth, the sum of two hundred eighty-seven dollars and seventy-five cents (\$287.75), this being the actual expense incurred by the said Isaac H. Edwards for care and treatment of his daughter for her injuries; *Provided*, that funds necessary to carry out the provisions of this Act shall be paid out of the Emergency Fund, in the event funds are not available out of the appropriations made for public schools.

Paid from Emergency Fund if not otherwise available.

Conflicting laws repealed.

SEC. 2. All laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 634

CHAPTER 26

AN ACT TO CREATE A BOARD OF TRUSTEES FOR THE FIREMEN'S PENSION FUND OF WILMINGTON, NORTH CAROLINA, AND TO ESTABLISH A PERMANENT FUND FOR THE PURPOSES HEREIN SET OUT.

The General Assembly of North Carolina do enact:

Board of Trustees for the Firemen's Pension Fund of Wilmington, created.

SECTION 1. That there is hereby created a board of trustees in the City of Wilmington to be known as the "Board of Trustees for the Firemen's Pension Fund of Wilmington, North

Carolina," and the said board shall consist of six men to be selected as follows: Two by the members of the Wilmington Fire Department, two by the Commissioners of the City of Wilmington, one by the State Insurance Commissioner, and the City Clerk and Treasurer of the City of Wilmington is hereby designated as a member of said board of trustees without voting power. The said trustees shall be appointed by the Board of City Commissioners of the City of Wilmington to serve until the first day of January, one thousand nine hundred and thirty-eight, and on the first day of January, one thousand nine hundred and thirty-eight and each two years thereafter, there shall be selected as heretofore set out, members of said board who shall serve without compensation, and the City Clerk and Treasurer of the City of Wilmington shall be and is hereby appointed as Clerk and Treasurer of the Wilmington Firemen's Pension Fund, and shall receive for his services a compensation to be allowed by board of trustees for the treasurer or clerical assistant.

(1) To safeguard members of the Fire Department of the City of Wilmington from becoming dependent in their advanced age and by reason of permanent disability, under such rules and regulations as may be included in this Act or may hereafter from time to time be adopted by the said board of trustees.

(2) To provide a reasonable support for widows and minors actually dependent upon a fireman of the City of Wilmington who may lose his life in the fire service of said city, either by accident, injury, or from disease contracted by reason of said service, as in this Act provided.

(3) To pension any permanently disabled or superannuated member of the fire department of said city, as hereinafter provided, and to provide necessary funds to continue payments of pensions for those men who are now, or may be placed on the pension roll of the Wilmington Fire Department.

SEC. 2. That any funds now held by the Board of Trustees of the Firemen's Pension and Relief Fund of the City of Wilmington, or at the time of the ratification of this Act being administered by it, shall be paid over by the said trustees to the Treasurer of the Board of Trustees of the Firemen's Pension Fund of Wilmington, North Carolina, created by this Act and by the latter board held, administered, managed, and disbursed under the provisions of this Act for the purposes and benefits herein defined.

(1) That the city clerk and treasurer shall collect from the monthly salaries of each officer and firemen of the Wilmington Fire Department two per cent (2%) of their said salary, the said sum to be paid to the Wilmington Firemen's Pension Fund to be distributed as herein set forth.

(2) All fines imposed by the Commissioners of the City of Wilmington by way of discipline of member of the fire depart-

Selection of members.

Appointment of trustees to serve until Jan. 1, 1938.

Biennial appointments.

City Clerk and Treasurer made Clerk and Treasurer of Pension Fund.

Compensation.

Safeguard Fire Department members from becoming dependent.

Support for dependent widows and minors.

Pension for permanently disabled or superannuated members.

Funds held by trustees, Firemen's Pension and Relief Fund, payable to Treasurer, new board.

2% of monthly salaries payable to said Fund.

Disciplinary fines imposed upon fire department members, payable into Fund.

Receipt of gifts for fund authorized.

Trustees authorized to invest funds in certain bonds.

Interest and accretions constitute part of Fund.

Annual report of status of Fund to Commissioners of Wilmington.

Duty of City Attorney to advise Board.

Duty to represent Board in suits.

Board authorized to make regulations for management of fund.

Pass upon pension applications.

Decisions of Board, not inconsistent with Act, final.

Records required.

Pension regulations:

Members incurring 50% disability, physically or mentally, because of service, placed on pension roll.

ment, shall be paid into and become a part of the funds of the Firemen's Pension Fund.

(3) The board of trustees as herein provided for may take and receive any gift, grant, bequest, devise, of any real or personal property or other things of value for and as the property of said pension fund and hold, disburse and invest the same for the uses of said fund, in accordance with the purpose of this Act.

SEC. 3. That the Board of Trustees of the Firemen's Pension Fund shall have the power to invest and reinvest from time to time said pension fund or any part thereof in the name of the "Board of Trustees of the Firemen's Pension Fund" in interest bearing bonds of the United States, of the State of North Carolina, or of the City of Wilmington. In case such pension fund or any part thereof shall by order of said board or otherwise be deposited in any bank or banks, all interest or money which may be paid or agreed to be paid on account of such sums or deposits shall belong to and constitute a part of said fund, as well as any other income or accretions arising from any investments made under this Act.

SEC. 4. That the said board of trustees shall make a full report of the status of said fund to the Commissioners of the City of Wilmington, a copy to be forwarded to the Chief of the Wilmington Fire Department, at the first regular meeting of said commissioners in January of each year.

SEC. 5. That it shall be the duty of the City Attorney of the City of Wilmington to give advice to said board of trustees in all matters pertaining to their duties and the management of said Firemen's Pension Fund, whenever so requested, and he shall represent and defend said board as its attorney in all suits or actions of law or in equity that may be brought against it, and bring all suits and actions in its behalf that may be required or determined by said board.

SEC. 6. That the Board of Trustees of the Firemen's Pension Fund shall have power to make all needful rules and regulations for the management of the pension fund, not inconsistent with the provisions of this Act, and said board shall hear and pass upon all applications for pensions under this Act, and its decisions on such applications, except where the same are in conflict with this Act, shall be final and conclusive. The board shall cause to be kept a record of all its meetings and proceedings.

SEC. 7. That pensions for permanent disability and superannuation shall be subject to the following regulations, and paid as follows:

(1) To any member of the Fire Department of the City of Wilmington, who while in the performance of his duties in said fire department shall become, without misconduct on his part, permanently or over fifty per cent (50%) disabled for duty as a fireman, either physically or mentally, by reason of such ser-

vice in said department, and regardless of the length of service, the said board of trustees shall, after causing a physical examination to be made and finding that such disability exists, retire such disabled fireman from the service in said department and place him on the pension roll; the member so retiring shall receive from the pension fund during his life a monthly pension of one-half of the monthly compensation allowed to such members as his salary in the department at the time of retirement; *however*, not to exceed the sum of ninety (\$90.00) dollars per month.

(2) Any member of the Fire Department of the City of Wilmington who has served in said department for a period of not less than twenty years or has reached the age of fifty-five may in the discretion of the board be retired by the said board and be placed on the pension roll: *Provided*, that any member of said fire department who has served in said department not less than twenty-five consecutive years may have the privilege upon his own application without any medical examination, of retiring and members eligible for pension under this section shall receive from the pension fund during his life a monthly pension of one-half of the monthly compensation allowed to such member as his salary in the department at the time of retirement, *however*, not to exceed the sum of ninety (\$90.00) dollars per month: *Provided further*, that the monthly pension allowed under this section shall be increased five (\$5.00) dollars for each additional five years of service by the member of said department over twenty-five years of service by the member of said department over twenty-five consecutive years of service.

(3) That in all instances where the service of a physician appointed by the board of trustees shall be secured for the examination of an applicant seeking a pension, or where such is granted, the certificate of such physician or surgeon shall be secured by the board, and be carefully preserved by it. The term 'member' as applied to the fire department in this Act shall include all officers and men who are now or may hereafter be in the active service of the Fire Department of the City of Wilmington, including former active members now receiving pensions from the Firemen's Pension and Relief Fund.

(4) In case any member of said fire department dies, other than by injury received in the service of said department or from the results of injury, then the board of trustees shall pay the sum of two hundred (\$200.00) dollars to the widow, and if no widow survives then to the dependent beneficiary of the deceased member.

(5) No pension provided for in this Act to be granted hereunder shall either before or after its order of distribution by said board of such disabled and pensioned member of said fire department, or beneficiary, be held, taken, subject to, or retained, or levied on by virtue of any attachment, execution, in-

Monthly pension of $\frac{1}{2}$ monthly salary at time of retirement, for life.

Maximum fixed.

Members in service 20 years or 55 years old, placed on pension roll, in Board's discretion.

Members in service 25 consecutive years placed on roll.

Monthly pension of $\frac{1}{2}$ monthly salary at retirement, for life.

Maximum.

Monthly pension increased \$5 for each five years service over 25 consecutive years.

Preservation of Physicians' certificates required.

"Member" defined.

Benefits payable upon death of member from cause not connected with service.

Pensions exempt from execution, attachment, etc. against member or beneficiary.

junction, writ, interlocutory, or other decree of court or any process or proceedings whatever issued out of any court in this state for the payment or satisfaction in whole or in part of any debt, damage, claim, demand, or judgment against any such member or beneficiary; but the said fund shall be held, kept, secure, and distributed for the purpose of pensioning or relieving the persons or the payment of funeral expenses as named in this Act, and for no other purpose whatsoever.

Upon member's death by service injury or disease, pension to widow.

\$30 per month to widow; \$10 per month for each dependent.

Maximum.

No such pension while widow receives Workmen's Compensation.

If no widow, support provided for surviving minor children.

Payments commenced after completion of any Workmen's Compensation payments.

Payments stopped when child reaches age 16.

"List of Retired Firemen" kept in book.

City Commissioners directed to appropriate additional amounts from general funds, if necessary.

(6) If any member of the fire department be killed or dies from injuries or the results thereof or from disease contracted in the performance of duty as a member of the fire department, and such deceased member leaves a widow surviving, said widow, during widowhood, shall receive, and be paid by the Board of Trustees of the Firemen's Pension Fund, a monthly pension in the sum of thirty (\$30.00) dollars per month, and ten (\$10.00) dollars per month for each dependent left by said deceased member, the total amount paid to such widow and such minor children shall in no event exceed the sum of sixty-two dollars and fifty cents (\$62.50) monthly. Such pension, however, shall not be paid to said widow so long as she receives benefit payments from the North Carolina Industrial Commission, and such pension, as provided herein, for the benefit of such widow, shall begin only after the expiration of amounts awarded to her by the said Industrial Commission. In the event of the death of any fireman then a member in good standing of the Wilmington Fire Department from causes defined in this sub-section, leaving no widow surviving but leaving surviving, however, dependent minor children, the said Board of Trustees of the Firemen's Pension Fund is authorized and directed to pay for and on account of the support and maintenance of said minor children, during their minority, monthly, amounts not exceeding ten (\$10.00) dollars, payments for said dependent minors to begin within thirty days after the completion of the payment of such amounts, if any, as may be allowed by the North Carolina Industrial Commission on account of the death of the deceased fireman whose death resulted from causes defined in this section. In any event, payments herein authorized for dependent minor children of such deceased member shall cease upon the children respectively arriving at the age of sixteen years.

SEC. 8. That there shall be kept in the office of said board of trustees by its secretary a book to be known as the "List of Retired Firemen." This book shall give a full and complete history and record of all the actions of the board of trustees in retiring any and all persons under this Act; such records shall give names, dates of joining the department, date of retirement and the reason therefor of any and all persons retired.

SEC. 9. That the Commissioners of the City of Wilmington are hereby authorized and directed to appropriate from the general funds of the City of Wilmington such additional amount

of money from time to time as may be necessary to carry out the provisions of this Act, the same to be paid to the Treasurer of the Board of Trustees of the Firemen's Pension Fund of Wilmington, North Carolina.

SEC. 10. That the pension fund herein provided for shall be exempt from taxation.

Pension fund exempt from taxation.

SEC. 11. That the board of trustees shall hold all funds collected, upon the trusts and for the purposes set out in this Act, and shall be clothed with all the power and authority and subjected to all the duties and restrictions in this Act contained.

Funds held by trustees upon trusts stated.

SEC. 12. That if any section of this Act shall be declared unconstitutional or invalid, it shall in no way invalidate any other section.

Partial invalidity provision.

SEC. 13. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 14. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 679

CHAPTER 27

AN ACT TO REPEAL THE CHARTER OF CLAREMONT COLLEGE AT HICKORY, NORTH CAROLINA.

Whereas, on the twenty-eighth day of July, one thousand eight hundred and eighty, J. F. Murrill, J. G. Hall, A. A. Shuford, and others, obtained a charter from the Superior Court of Catawba County incorporating an institution for the promotion of religion, morality and learning therein, named Claremont Female College, and for a number of years thereafter maintained a school and acquired valuable real and personal property in Hickory, North Carolina, held by them and their successors, as trustees, under said name; and

Preamble: Claremont Female College incorporated, 1880.

Whereas, said trustees, in the promotion of the objects of said charter, placed the said school and its property under the control of the Classis of North Carolina Reformed Church in the United States; and

Property acquired and school maintained.

School placed under control of the Classis of N. C. Reformed Church.

Whereas, the said charter was amended by the General Assembly of North Carolina, as contained in chapter fifty-eight, Private Laws for the year one thousand nine hundred and nine, section one of said Act changing the name of said institution from Claremont Female College to Claremont College; and

Name changed to Claremont College.

Whereas, section two of said Act provided that in the event said Classis of North Carolina Reformed Church in the United States should fail for two years to maintain a female college, as provided by the charter of Claremont College, or should fail to carry out the conditions of maintenance and preservation of the property assumed by said Classis, which said Classis of

Failure of Classis of Reformed Church in N. C. to maintain female College, as required.

Reformed Church in North Carolina have failed to do for a period of more than two years since the passage of the private Act as aforesaid; and

No school maintained at Claremont College for more than 20 years.

Whereas, for a period of more than twenty years no school of learning has been maintained at Claremont College, Hickory, North Carolina, and the purposes for which the said institution was created have ceased; *Now, Therefore*,

The General Assembly of North Carolina do enact:

Charter, Claremont Female College, repealed.

SECTION 1. That the Acts of incorporation creating Claremont Female College are hereby repealed.

Ch. 58, Private Laws, 1909, repealed.

SEC. 2. That chapter fifty-eight of the Private Laws of North Carolina for the year one thousand nine hundred and nine, be, and the same is hereby repealed.

Property rights vested in Trustees of Claremont College transferred to Consistory of Corinth Congregation, Evangelical and Reformed Church, Hickory.

SEC. 3. That all property rights heretofore vested in the Trustees of Claremont College, Incorporated, shall, from and after the passage of this Act, vest in the Consistory of Corinth Congregation of the Evangelical and Reformed Church in the United States, Hickory, North Carolina, and their successors in office, who shall have the same authority in the holding, conveying or managing of all property formerly belonging to Claremont Female College, or Claremont College, as the trustees of said institution had in the Articles of Incorporation under date of the twenty-eighth of July, one thousand eight hundred and eighty, or in chapter fifty-eight of the Private Laws of the General Assembly of North Carolina for the year one thousand nine hundred and nine, or in any deeds of conveyance previously made to the aforesaid Trustees of Claremont Female College or Claremont College.

Authority to manage property.

SEC. 4. That this Act shall be in force from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

H. B. 811

CHAPTER 28

AN ACT TO AMEND CHAPTER ONE HUNDRED NINETY-THREE, PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED TWENTY-THREE, RELATING TO SALARIES OF TOWN OFFICIALS OF THE TOWN OF ENFIELD, HALIFAX COUNTY.

The General Assembly of North Carolina do enact:

Sec. 7, Ch. 193, Private Laws, 1923, amended.

SECTION 1. That section seven of chapter one hundred ninety-three, Private Laws of one thousand nine hundred and twenty-three, be amended by striking out in line twenty-five, the words and figures "the sum of four dollars (\$4.00) each per month" and inserting in lieu thereof the following: "a sum not to exceed six dollars (\$6.00) each per month," and by striking out in line twenty-eight the words and figures "three hundred dollars

Maximum per diem compensation of Commissioners, Town of Enfield, increased.

(\$300.00)" and by inserting in lieu thereof the following: "six hundred dollars (\$600.00) per annum."

Mayor's salary fixed at \$600 annually.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 15th day of March, A.D. 1937.

S. B. 371

CHAPTER 29

AN ACT TO AMEND CHAPTER THREE HUNDRED FORTY-FOUR OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED SEVEN, AS AMENDED, RELATING TO THE CHARTER OF THE CITY OF CONCORD.

The General Assembly of North Carolina do enact:

SECTION 1. That sections twenty-five to thirty-five inclusive of chapter three hundred forty-four of the Private Laws, session one thousand nine hundred seven, as amended, being the sections relating to the police justice in an Act entitled "An Act to amend, revise and consolidate the Charter of the City of Concord, etc." be, and the same are hereby repealed.

Secs. 25-35, inclusive, Ch. 344, Private Laws, 1907, as amended, repealed.

SEC. 2. That wherever the words "police justice" and/or "police justice's court" appear, and wherever powers and duties of said police justice are defined or granted, and wherever jurisdiction and/or procedure of said police justice or said court is granted or prescribed in chapter three hundred forty-four of the Private Laws, session one thousand nine hundred seven, as amended, that references thereto be stricken out, and be, and the same are hereby repealed.

References in Ch. 344, Private Laws, 1907, to "police justice" and "police justice's court," repealed.

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 16th day of March, A.D. 1937.

H. B. 853

CHAPTER 30

AN ACT TO AUTHORIZE AND EMPOWER THE BOARD OF COMMISSIONERS OF TRANSYLVANIA COUNTY TO REMIT TAXES DUE ON MUNICIPAL GOLF COURSE PROPERTY OWNED AND OPERATED BY THE TOWN OF BREVARD.

The General Assembly of North Carolina do enact:

SECTION 1. The Board of Commissioners of Transylvania County are hereby authorized and empowered, within their dis-

Transylvania County Commissioners authorized to remit taxes on certain properties.

Conflicting laws repealed.

cretion, to remit any and all taxes due said county on the property which has been purchased, or shall be purchased, by the Town of Brevard, the use of which shall be devoted exclusively for public purposes, including the operation thereon of a golf course, swimming pool, and other like purposes.

SEC. 2. All laws and clauses of laws in conflict herewith are hereby repealed.

SEC. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 16th day of March, A.D. 1937.

H. B. 915

CHAPTER 31

AN ACT TO APPOINT A MEMBER OF THE BOARD OF TRUSTEES OF THE POLICE PENSION FUND FOR WILMINGTON, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Harry M. Solomon appointed trustee of Police Pension Fund, Wilmington.

SECTION 1. That Harry M. Solomon is hereby appointed a Trustee of the Police Pension Fund, Wilmington, North Carolina, to fill the vacancy caused by the expiration of the term of F. A. Lord, which term is hereby declared to have terminated and is at an end; the said Harry M. Solomon shall serve for a term of six years.

Term of new trustee.

Conflicting laws repealed.

SEC. 2. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 17th day of March, A.D. 1937.

H. B. 963

CHAPTER 32

AN ACT TO AUTHORIZE THE COMMISSIONERS OF ROWAN COUNTY AND THE CITY COUNCIL OF SALISBURY, NORTH CAROLINA TO MAKE CERTAIN TAX ADJUSTMENTS WITH THE KLUMAC COTTON MILLS, INC., OF SALISBURY, NORTH CAROLINA.

Preamble: Klumac Cotton Mills, Inc. idle for two years.

Value of property deteriorated.

Operation by Company desirable.

Whereas, the Klumac Cotton Mills, Inc., of Salisbury, North Carolina has been idle for a period of more than two years during which time its physical property deteriorated in value on account of leaks in the roof and the non-use of its machinery and equipment, and

Whereas, its operation and consequent employment of a number of people is desirable: *Now, Therefore*,

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of County Commissioners for Rowan County and the City Council of the City of Salisbury, North Carolina, be, and they are each hereby authorized and empowered to make such adjustments in the city and county taxes assessed against the Klumac Cotton Mills, Inc., during its period of idleness as they may deem right and proper.

Commissioners,
Rowan County and
City of Salisbury,
authorized to adjust
taxes assessed against
Klumac Cotton
Mills, Inc.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws
repealed.

SEC. 3. That this Act shall be in full force and effect from its ratification.

In the General Assembly read three times and ratified, this the 17th day of March, A.D. 1937.

S. B. 120

CHAPTER 33

AN ACT IN RELATION TO THE DEATH OF NETTIE EDWARDS OF PERSON COUNTY, NORTH CAROLINA, INJURED FATALLY BY A SCHOOL BUS.

Whereas, on November eighteen, one thousand nine hundred and thirty-five in Person County, North Carolina, Nettie Edwards, age twelve, a pupil in Bushy Fork School, was stricken and fatally injured by a school bus; and

Preamble: Nettie
Edwards, Person
County school pupil,
killed by school bus.

Whereas, it is not now provided by general statute for compensation in such cases when the injured party was not actually riding on a school bus at the time of injury; and

No statutory provi-
sion for compensa-
tion.

Whereas, the said Nettie Edwards was being transported in a school bus from Bushy Fork School enroute to her home and the driver of said school bus stopped at a rural store on said route and before reaching the point of discharge for the children therein, permitted said children to alight therefrom, suddenly and negligently backed the bus, striking and fatally injuring Nettie Edwards; and

Circumstances of
fatal injury.

Whereas, the Person County Board of Education has requested that relief be granted on account of the death of Nettie Edwards, as herein set out, which request is approved by the Board of Commissioners of Person County: *Now, Therefore,*

Relief on account of
child's death re-
quested.

The General Assembly of North Carolina do enact:

SECTION 1. That the State School Commission be, and it is hereby, authorized and directed to pay to Joe Edwards, father of Nettie Edwards, actual expenses incurred by him relative to the injury and subsequent death of his daughter, including funeral expenses, not to exceed the sum of six hundred (\$600.00) dollars. The right to compensation authorized by this Act shall not be paid unless and until an itemized, verified statement has

State School Com-
mission directed to
pay expenses in-
curred on account of
fatal injury of Nettie
Edwards.

Itemized, verified
statement of ex-
penses required.

been presented to the State School Commission and approved by it.

Conflicting laws repealed.

SEC. 2. All laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 17th day of March, A.D. 1937.

S. B. 134

CHAPTER 34

AN ACT TO PROVIDE COMPENSATION TO THE PARENTS OF ZULA MAE TURNER, DECEASED, WHO WAS KILLED BY A SCHOOL BUS AT VENABLE SCHOOL IN BUNCOMBE COUNTY.

Preamble: Zula Mae Turner, student at Venable School, Buncombe County, fatally injured by school bus.

Circumstances of fatal accident.

Whereas, on the tenth day of March, one thousand nine hundred thirty-six, Zula Mae Turner, age fifteen, a student at Venable School in Buncombe County, with other children, was standing in front of said school building, adjacent the school garage, awaiting the arrival of a school bus to transport them from said school to their homes, and, without fault on her part, the driver of said school bus negligently, and without looking, caused said school bus to be backed out of the highway running in front of said school and up an embankment at a point and place where he could not see behind said bus, and caused said bus to be driven into a crowd of small school children, at which said time the said Zula Mae Turner was under the eave of said garage in order to keep out of the rain and said bus was backed through said crowd of children and against said garage building, catching the said Zula Mae Turner between said bus and said garage, and seriously and permanently injuring her internally, from which injuries she died on the same date; and

Parents unable to defray child's burial expenses.

Whereas, the parents of the said Zula Mae Turner were and are unable to defray the burial expenses of said child; and

Itemized statement of medical and burial expenses filed with State School Commission.

Whereas, on May fourth, one thousand nine hundred thirty-six, the parents of the said Zula Mae Turner filed an itemized statement with the State School Commission, Raleigh, North Carolina, for the sum of five hundred eighty-seven dollars (\$587.00), representing the expenses incurred in the treatment and burial of the said Zula Mae Turner; and

State School Commission authorized to pay medical or funeral expenses, when pupil injured or killed while riding on school bus.

Whereas, by chapter two hundred forty-five of the Public Laws of North Carolina, one thousand nine hundred thirty-five, the State School Commission was authorized and directed to set up in its budget for the operation of public schools of the state, a sum of money which it deemed sufficient to pay to parents, guardians, executors and administrators of any school child who might be injured and/or whose death results from injuries received while such child is riding on a school bus to and from the

public schools of the state, medical, surgical, hospital and funeral expenses incurred on account of such injuries and/or death of such child in an amount not to exceed the sum of six hundred dollars (\$600.00); and

Whereas, by section six of said Act, it was provided that the state should not be liable, among other things, for personal injuries sustained while not actually riding on the bus to and from the school and from personal injuries received otherwise than by reason of the operation of such bus; and

Whereas, after said claim was filed by the parents of Zula Mae Turner with the State School Commission, as aforesaid, for the sum of five hundred eighty-seven dollars (\$587.00), representing the expenses incurred in the treatment and burial of the said Zula Mae Turner, the State School Commission, while not rejecting said claim, has failed to approve and pay the same due to the fact that the said Zula Mae Turner was not actually riding on said bus at the time of the accident; and

Whereas, the parents of the said Zula Mae Turner have no remedy at law; *Now, Therefore*,

The General Assembly of North Carolina do enact:

SECTION 1. That the State School Commission of North Carolina shall be and it is hereby authorized and directed to pay to J. E. Turner of Buncombe County, North Carolina, the father of the said Zula Mae Turner, who was killed, as set out in the preamble of this Act, the sum of five hundred eighty-seven dollars (\$587.00), the expenses incurred in the treatment and burial of his daughter, Zula Mae Turner. *Provided*, that funds necessary to carry out the provisions of this Act shall be paid out of the emergency fund in the event funds are not available out of the appropriations made for public schools.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 17th day of March, A.D. 1937.

State not liable, under Act, for payment of expenses where injured child not passenger on bus.

Claim of parents of Zula Mae Turner, not approved by State School Commission.

No remedy at law.

State School Commission directed to pay expenses on account of fatal injury of Zula Mae Turner.

Payment from emergency fund authorized, if not available from school funds.

Conflicting laws repealed.

S. B. 307

CHAPTER 35

AN ACT IN RELATION TO THE DEATH OF MARVIN KING, SON OF FELIX KING, OF RICHLANDS, R. F. D., NORTH CAROLINA.

Whereas, on March twenty-third, one thousand nine hundred and thirty-five, at R. F. D., Richlands, North Carolina, Marvin King, a school child of the Comfort Jones County School, was fatally injured by a school bus; and

Preamble: Marvin King, fatally injured by school bus.

No provision by general law for compensation when injured party not passenger on bus.
Circumstances of fatal accident.

Whereas, it is not now provided by general statutes for compensation in such cases when the injured party was not a passenger on a school bus; and

Whereas, the said Marvin King, son of Felix King, was playing in and around the curtilage of his home and a school truck driven by one John Rhodes was turning around in the yard and accidentally backed into and over said child, and said child was fatally injured by the negligence of the driver of said school bus operated by the State of North Carolina; and

Requests for relief.

Whereas, the local board of the Tuckahoe school district and the Jones County Board of Education resolve and request that relief be granted on account of the death of the said Marvin King, son of Felix King, as herein set out, which request was approved by the Board of County Commissioners for Jones County: *Now, Therefore*,

The General Assembly of North Carolina do enact:

\$500 appropriated to father of Marvin King on account of latter's death.

SECTION 1. That the sum of five hundred dollars (\$500.00) be and the same is hereby appropriated payable to Felix King, father of said deceased, Marvin King, on account of the death of his son.

State officials authorized to make disbursement.

SEC. 2. That the State Auditor be, and he is hereby authorized to draw his warrant payable to Felix King in the sum of five hundred dollars (\$500.00) on the State Treasurer, which warrant shall constitute when received by the said payee a valid disbursement of the above appropriation.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 17th day of March, A.D. 1937.

S. B. 299

CHAPTER 36

AN ACT TO AMEND CHAPTER TWENTY-TWO, SECTION FIFTEEN, OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-FIVE, RELATIVE TO UTILITIES COMMISSION FOR THE CITY OF LEXINGTON, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Ch. 22, Private Laws, 1935, amended.

SECTION 1. That chapter twenty-two of the Private Laws of one thousand nine hundred thirty-five, section fifteen, be amended as follows:

Limitation on salary of Utilities Commissioner, City of Lexington, removed.

By striking out the following words, beginning in line six of section fifteen, after the word "salary," and ending with the word "annum" in line eight, the words to be stricken out being "not to exceed the sum of thirty-six hundred (\$3600.00) dollars per annum."

Conflicting laws repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in force and effect from and after the date of its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

S. B. 340

CHAPTER 37

AN ACT FOR THE RELIEF OF H. V. ROSE, CLERK OF THE SUPERIOR COURT OF JOHNSTON COUNTY.

Whereas, on the night of January sixteenth, one thousand nine hundred and thirty-seven, some unknown person or persons broke into and entered the office of H. V. Rose, Clerk of the Superior Court of Johnston County, and stole the sum of three hundred and thirty-six dollars (\$336.00) in cash which had been received after banking hours and it appears that the clerk and his several deputies had on that day and at all times prior thereto, exercised a great degree of diligence in the care and preservation of the funds belonging to his said office, and that the said larceny is not traceable to the negligence of the clerk and/or his deputies; and

Whereas, the Board of Commissioners of Johnston County has passed a resolution requesting that the said H. V. Rose be relieved by the present General Assembly, of personal liability of said loss; *Now, Therefore*,

The General Assembly of North Carolina do enact:

SECTION 1. That H. V. Rose, Clerk of the Superior Court of Johnston County, be and he is hereby relieved of personal liability for the loss of three hundred and thirty-six dollars (\$336.00) in money which was stolen from his office on the night of January sixteenth, one thousand nine hundred and thirty-seven, and that the several funds affected thereby be charged with their pro rata part of the loss sustained.

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

Preamble: Funds stolen from office of H. V. Rose, C. S. C., Johnston County.

Diligence exercised in care of funds.

Relief from personal liability requested.

H. V. Rose, C. S. C., Johnston County, relieved of personal liability for loss of public funds stolen.

Loss prorated among funds affected.

H. B. 624

CHAPTER 38

AN ACT TO REIMBURSE C. N. MEASE, CHIEF STATE REFUGE WARDEN, FOR PROPERTY OF HIS DESTROYED IN THE STATE FAIR FIRE OF ONE THOUSAND NINE HUNDRED THIRTY-FOUR.

Whereas, C. N. Mease loaned to the state, to be exhibited in the State Fair during the year one thousand nine hundred thirty-four, a valuable exhibit of mounted wild life belonging to him; and

Preamble: Mounted wild life exhibit loaned to State by C. N. Mease, for use at State Fair.

Exhibit destroyed
by fire.

Compensation for
loss paid to Depart-
ment of Conservation
and Development.

No authority
for reimbursing
C. N. Mease.

Whereas, in the fire which destroyed a part of the buildings on said ground the said exhibit was completely destroyed; and

Whereas, an amount was paid by the insurance company in adjustment of the loss sustained at said fair by the Department of Conservation and Development, and there apparently exists no authority at law for reimbursing the said Mease for the loss sustained by him by reason of said loan of exhibit: *Now, Therefore*,

The General Assembly of North Carolina do enact:

Reimbursement of
C. N. Mease, for
loss of wild life
exhibit, directed.

Amount.

Conflicting laws
repealed.

SECTION 1. The State Department of Conservation and Development, and/or the State Department of Agriculture are hereby authorized and directed to reimburse the said C. N. Mease from the insurance adjustment payment for the loss thereby sustained to the extent of one hundred eight dollars and fifty cents (\$108.50), which represents the actual cost of preparing the said exhibit, the real value thereof being much greater than that amount.

SEC. 2. All laws and clauses of laws in conflict herewith are hereby repealed.

SEC. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 866

CHAPTER 39

AN ACT FOR THE RELIEF OF THE ESTATE OF SAM W. PINNELL OF WARREN COUNTY, ON ACCOUNT OF DEATH RECEIVED WHILE IN THE COURSE OF ACTING AND BEING DEPUTIZED TO ASSIST IN THE PERFORMANCE OF DUTIES OF DEPUTY SHERIFF.

Sam W. Pinnell, of
Warren County,
killed while assist-
ing deputy sheriff
in making arrest.

Loss to deceased's
estate.

Estate entitled to
compensation.

Whereas, on May third, one thousand nine hundred twenty-nine, Sam W. Pinnell of Warren County, while engaged in assisting Robert L. Pinnell, Jr., as deputy sheriff, said Sam W. Pinnell having been deputized to assist Robert L. Pinnell, Jr., his brother in attempting to arrest one John Macon for the crime of murder, was shot and killed; and

Whereas, on account of the said death the estate of Sam W. Pinnell, consisting of Alice Pridgen, his wife, Sam W. Pinnell, Jr., and Hart Pinnell, both minors, his children, have suffered injury to the extent of at least two thousand (\$2000.00) dollars by the loss of the said Sam W. Pinnell; and

Whereas, it is proper and just that the said estate of Sam W. Pinnell should be reimbursed by public authority for expenditure so incurred: *Now, Therefore*,

The General Assembly of North Carolina do enact:

SECTION 1. That the Board of Commissioners of Warren County be, and they are hereby authorized, empowered, and directed to appropriate and pay to the estate of Sam W. Pinnell the sum of two thousand (\$2000.00) dollars out of the general fund of the said county as partial reimbursement to the wife and minor children of the deceased Sam W. Pinnell; said sum to be paid five hundred (\$500.00) dollars on April first, one thousand nine hundred thirty-seven, five hundred (\$500.00) dollars, December first, one thousand nine hundred thirty-seven, five hundred dollars (\$500.00), April 1st, one thousand nine hundred thirty-eight, five hundred dollars (\$500.00) December first, one thousand nine hundred thirty-eight.

Commissioners, Warren County, directed to compensate estate of Sam W. Pinnell.

Payment in installments.

SEC. 2. That this Act shall be in force and effect from and after its ratification.

SEC. 3. All laws, or groups of laws, in conflict hereto, are hereby repealed.

Conflicting laws repealed.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

H. B. 904

CHAPTER 40

AN ACT TO CREATE A PENSION AND RELIEF FUND FOR THE MEMBERS OF THE POLICE AND FIRE DEPARTMENTS OF THE CITY OF GREENVILLE, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That there is hereby created the Board of Trustees of the Fire and Police Department Pension and Relief Fund of the City of Greenville, North Carolina, to consist of five members. The Mayor of the City of Greenville shall serve ex officio as chairman of said board, and the Chief of Police and the Chief of the Fire Department of said city shall serve ex officio as members thereof. The remaining two members shall be appointed by the City Council. The original appointees of the council shall serve one for two years and one for four years, and thereafter their successors shall be appointed for four years. Said original appointments shall be made at the first regular meeting of said council in July, one thousand nine hundred thirty-seven; and the appointments of successors for regular terms shall be made at the first regular meeting in July of each year in which an appointment is to be made. The terms of such appointees shall begin on the day following their appointment. The terms of the ex officio members shall begin and be coterminous with their terms as mayor and chief, respectively, and their duties as members of said board shall in all respects be considered as a part of their duties as officials of the City of Greenville.

Board of Trustees, Fire and Police Department Pension and Relief Fund, City of Greenville, created.

Membership.

Terms of City Council appointees.

Time of original appointments.

Appointment of successors.

Commencement of terms.

Terms of ex officio members.

Duties.

Vacancy appointments.

Any vacancy occurring on said board in a membership filled by appointment of the council shall be filled, for the unexpired term, by appointment of the council.

Secretary and treasurer.

SEC. 2. That the City Treasurer of the City of Greenville shall serve as secretary and treasurer of said board, without additional compensation, and he shall furnish such bond as may be required of him by said board. The premium on any such bond shall be paid by the board from the funds under its supervision.

Bond.

Payment of premiums.

SEC. 3. There is hereby created the Fire and Police Department Pension and Relief Fund of the City of Greenville, North Carolina, hereinafter called the Fund, which shall in all respects be subject to the management, supervision and control of said board.

Fire and Police Department Pension and Relief Fund created.

Management and control.

Sources of fund.

SEC. 4. That said fund shall consist of: (1) a deduction from the salaries of the officers and employees of the Fire and Police Departments, including the chiefs thereof, in a percentage to be fixed by said board, not exceeding five per centum of such salaries, which said amount shall be withheld from said salaries and paid directly into said fund by the City of Greenville; and (2) an amount equal to the total deductions made from said salaries, which said amount shall be paid by the City of Greenville to said fund from any moneys not otherwise appropriated.

City Council directed to provide amount required of city.

It shall be the duty of the City Council of said city to provide, by taxation or otherwise, the amount so required to be paid by the city, and such amount shall be paid to said fund at such time or times that at all times the money so paid by the city shall at least equal the amount of deductions from said salaries paid into said fund.

Time of payment.

Initial payments.

The payments provided by this section shall begin with the fiscal year beginning the first day of July, one thousand nine hundred thirty-seven.

Establishment of plan of administration.

SEC. 5. That it shall be the duty of said board to study and investigate pension and relief plans, and to establish such a plan for the administration of the fund provided by this Act.

Retirement of superannuated officers and employees.

Said plan may provide, in the discretion of said board, for:

Benefits for disability because of injury or impairment of health.

(1) Retirement of superannuated officers and employees of said departments at such times and ages and at such retirement pay as said board may prescribe.

Death benefits to surviving dependents.

(2) Benefits to officers and employees of said departments who are injured or disabled in the line of duty or whose health is impaired in the line of duty, under such terms and conditions and in such amount as the board may prescribe.

(3) Benefits to dependents of officers and employees of said departments who may die or be killed while in the service of such departments, under such terms and conditions and in such amounts as said board may prescribe.

Administration on sound actuarial basis.

In prescribing the terms and conditions under which such payments from the fund shall be made, and in fixing the amounts of such payments, it shall be the duty of said board to consider

all pertinent factors to the end that such fund shall be administered upon as sound an actuarial basis as possible.

The amount of any award made by said board may be revised by said board at any time, and no prospective recipient thereof shall have any vested rights therein; and the awards made shall not, prior to the actual payment thereof, be assignable or subject to the claims of creditors.

Said board may, in its discretion, vary the amounts awarded from said fund in accordance with rank, length of service, amounts paid in as salary deductions, the financial circumstances of the beneficiaries, and any other pertinent factors.

SEC. 6. That the investment of all moneys in said fund shall be within the discretion of said board.

SEC. 7. That all expenses of administering said fund shall be paid from said fund, provided that not more than five per centum of such fund may be used for administration without the consent of the City Council.

SEC. 8. That the board shall have no power to borrow money on behalf of said fund.

That to this end, it shall be the duty of said board, whenever it may become apparent that the awards made will, if paid in full, exceed the amount available for the payment thereof, to revise said awards so that total payments from said fund will not exceed the amount on hand available therefor.

SEC. 9. That the board shall report its activities and proceedings in full to the City Council at least annually, setting forth in detail all awards made and payments made during the preceding year and setting forth the condition of the fund. The council may demand additional reports at any time, and it shall be the duty of said board to comply with all reasonable demands of the council in this respect.

If at any time the council finds as a fact, after public hearing on ten day's notice to the members of said board, that said fund is being mismanaged or is being used for purposes unauthorized by this Act, the council may suspend the payments herein required to be made by the city and order suspension of all deductions from salaries until said board has satisfied the council that such mismanagement or diversion of funds has ceased, or until the members of said board have posted bond, conditioned on faithful performance of the duties imposed upon them, in an amount equal to at least fifty per centum of the annual payments into said fund. The members of said board may appeal any such order to the Superior Court of Pitt County by filing a written notice of appeal with the Clerk to the Council; and it shall be the duty of said clerk, upon the filing of such notice, to transfer to said court all books, papers, documents and records on which the order of the council was based.

Nothing herein shall be construed as imposing upon the members of said board any personal liability except for wilful or fraudulent mismanagement of said fund.

Revision of awards.

Unpaid awards not assignable nor subject to execution.

Variation of amounts awarded.

Basis.

Investment of moneys.

Expenses of administration.

Board not authorized to borrow money.

Revision of amount of awards in accordance with funds available.

Annual reports to City Council.

Additional reports.

Suspension of city payments and salary deductions, upon finding of mismanagement or diversion.

Conditions for resumption.

Appeal by board members to Superior Court.

Records delivered to said court.

Personal liability of board members.

General powers of board.

SEC. 10. That the members of said board are hereby vested with all power and authority necessary for the administration of the purposes of this Act, including, but not restricted to, the power to employ expert advice in the establishment of award and benefit schedules, and the power to make arrangements for such supplies and office space as may be necessary.

Conflicting laws repealed.

SEC. 11. That all laws and clauses of laws in conflict with the provisions of this Act are, to the extent of such conflict, hereby repealed.

SEC. 12. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 20th day of March, A.D. 1937.

S. B. 472

CHAPTER 41

AN ACT TO AUTHORIZE THE BOARD OF EDUCATION OF DAVIE COUNTY TO MAKE DEED TO CERTAIN SCHOOL PROPERTY ADJOINING FORK BAPTIST CHURCH.

Preamble: Property conveyed to Davie County Education Board for school purposes.
Abandoned for school purposes.

Whereas, the Fork Baptist Church conveyed to the Board of Education of Davie County a part of the property of said church to be used for school purposes; and

Location.

Whereas, the state and county have abandoned said property and it is now no longer used for school purposes; and

Whereas, said property adjoins the property of the said Fork Baptist Church; and

Desired use.

Whereas, said church desires to use said property as a community building; *Now, Therefore*,

The General Assembly of North Carolina do enact:

Appointment of Trustees for property.

SECTION 1. That T. I. Caudle, Jacob Grubb and Wiley Seaford, be and they are hereby constituted a Board of Trustees for the property hereinafter described who shall serve for a period of two years, their successors to be elected by the Fork Baptist Church for a like term.

Board of Education, Davie County, authorized to convey property to Trustees.

SEC. 2. That the Board of Education of Davie County be and they are hereby authorized and empowered to convey to said Board of Trustees, and their successors the property which was previously conveyed to said Board of Education by the Fork Baptist Church, the said property to be held in trust for the Fork Baptist Church and the Fork Community and to be used as a community building and center.

Use.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Conflicting laws repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

S. B. 396

CHAPTER 42

AN ACT TO PROVIDE COMPENSATION TO ERNEST COSTNER, FATHER OF HAZEL COSTNER, DECEASED, FOR INJURY RESULTING IN THE DEATH OF HAZEL COSTNER WHILE RIDING ON A SCHOOL BUS NEAR THE BAN-OAK SCHOOL IN CATAWBA COUNTY.

Whereas, Hazel Costner, thirteen years of age, daughter of Ernest Costner, was killed in attempting to alight from a school bus in which she was riding to her home from the Ban-Oak School in Catawba County, her death occurring without fault on her part, being due entirely to a broken floor board near the door of the bus which caught her coat, and the driver, failing to note that fact, closed the door with lever control, started up the bus and dragged the child approximately eight hundred feet, where her dead body was discovered; and

Whereas, the said Ernest Costner, father of Hazel Costner sustained damage in the sum of four hundred and forty-five dollars and ninety-five cents (\$445.95) by reason of the injury and death of his daughter, for which he has not been compensated; and

Whereas, the said Ernest Costner has no remedy at law:
Now, Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the State School Commission of North Carolina be, and it is hereby authorized and directed to pay to Ernest Costner of Catawba County, North Carolina, the father of Hazel Costner, who was killed as above set forth, the sum of four hundred forty-five dollars and ninety-five cents (\$445.95), this being the damage sustained by the said Ernest Costner by reason of the death of his daughter, Hazel Costner: *Provided*, that funds necessary to carry out the provisions of this Act shall be paid out of the contingent Emergency Fund.

SEC. 2. All laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

Preamble: Hazel Costner, Ban-Oak School pupil, Catawba County, killed by school bus.

Damages sustained by father of said child, not paid.

No remedy at law.

State School Commission directed to pay Ernest Costner damages for death of Hazel Costner.

Amount.

Payable from Contingency Emergency Fund.

Conflicting laws repealed.

S. B. 344

CHAPTER 43

AN ACT TO AMEND CHAPTER TWO HUNDRED FORTY-THREE OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED ELEVEN, AND TO VALIDATE CERTAIN ACTS OF THE PRESENT BOARD OF ALDERMEN AND THE GOVERNING BODY OF THE CITY OF STATESVILLE AND ALL PRIOR BOARDS OF ALDERMEN AND GOVERNING BODIES OF THE CITY OF STATESVILLE.

The General Assembly of North Carolina do enact:

Sec. 4, Ch. 243,
Private Laws, 1911,
amended.

Election of Mayor of
Statesville from city
at large.

Sec. 9, Ch. 243,
Private Laws, 1911,
amended.

Pay of aldermen
increased.

Acts of all boards of
aldermen, City of
Statesville, relating
to payment of alder-
men, validated.

Conflicting laws
repealed.

SECTION 1. That section four of chapter two hundred forty-three of the Private Laws of one thousand nine hundred eleven be amended by inserting in line two thereof after the word "mayor" the words "from the city at large" and by inserting in line four thereof between the word "mayor" and the word "and" the following: "from the city at large."

SEC. 2. That section nine of chapter two hundred forty-three of the Private Laws of one thousand nine hundred eleven be amended by striking out the word "two" between the word "shall" and the word "dollars" in line seven thereof and inserting the word "five."

SEC. 3. That the acts of the present Board of Aldermen and governing body of the City of Statesville and all boards of aldermen and governing bodies elected prior to the present board of aldermen and governing bodies as they relate to the payment of the Aldermen for the City of Statesville be and the same are hereby validated.

SEC. 4. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 588

CHAPTER 44

AN ACT TO AMEND CHAPTER TWO HUNDRED AND SIXTY-ONE, PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-FIVE, SO AS TO PERMIT THE SALE OF FAMILY GROCERIES WHEREVER THE SALE OF MEAT AND/OR SEA FOOD IS PERMITTED IN ELIZABETH CITY.

The General Assembly of North Carolina do enact:

Ch. 261, Private
Laws, 1935,
amended.

Sale of family gro-
ceries allowed where
sale of meat or sea
food is permitted in
Elizabeth City.

SECTION 1. That section one of chapter two hundred and sixty-one, Private Laws of one thousand nine hundred and thirty-five, be, and the same is hereby, amended by adding immediately after the words "offer for sale" in said section one, the following: "family groceries."

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 909

CHAPTER 45

AN ACT TO REIMBURSE THE CHEMISTS OF THE GASOLINE AND OIL INSPECTION LABORATORY OF THE DEPARTMENT OF REVENUE FOR LOSSES INCURRED IN A LABORATORY FIRE ON NOVEMBER NINTH, ONE THOUSAND NINE HUNDRED THIRTY-FIVE.

Whereas, on the ninth day of November, one thousand nine hundred thirty-five, gasoline which was stored in the laboratory ignited; and

Preamble: Ignition of gasoline stored in State laboratory.

Whereas, in an effort to save the laboratory equipment, the chemists endangered their lives by remaining in the laboratory and trying to save the equipment; and

Lives of chemists endangered in attempt to save equipment.

Whereas, the said chemists were unable to save their personal property; Now, Therefore,

Chemists unable to save their personal property.

The General Assembly of North Carolina do enact:

SECTION 1. That J. B. Joyner, T. A. Fowler, and H. L. Shankle, Chemists of the Gasoline and Oil Inspection Laboratory of the Department of Revenue, be, and they are hereby reimbursed for the following losses incurred in the fire of November ninth, one thousand nine hundred thirty-five:

Reimbursement of J. B. Joyner, T. A. Fowler, and H. L. Shankle for losses.

Joyner, J. B.

Loss by J. B. Joyner.

1 Leather jacket	\$ 5.00
1 Hat	5.00
1 Coat to suit	15.00
1 Fountain pen	5.00

\$30.00

Fowler, T. A.

Loss by T. A. Fowler.

1 Hat	\$ 5.00
1 Coat to suit	15.00
1 Overcoat	32.50

\$52.50

Shankle, H. L.

Loss by H. L. Shankle.

1 Coat and vest	\$25.00
1 Hat	5.00
1 Brief case	12.50
1 Laboratory coat	2.00
1 German dictionary	3.00
1 Quantitative Analysis by Fales.....	4.00

(1,760) yards" in lines four and five of said section and inserting in lieu thereof the words and figures "two thousand yards."

SEC. 2. That section six of chapter sixteen of the Private Laws of the Extra Session one thousand nine hundred and twenty-one, be and the same is hereby amended by striking out the words "The chief of police shall act as tax collector" in lines twenty-seven and twenty-eight of said section.

SEC. 3. That section sixteen of chapter sixteen of the Private Laws of the Extra Session of one thousand nine hundred and twenty-one, be and the same is hereby amended by striking out the last sentence in said section and inserting in lieu thereof the following: "The rate of taxation shall be governed by the State Municipal Finance Act."

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

Corporate limits,
Town of Winton,
extended.

Sec. 6, amended.

Provision for chief
of police as tax
collector, eliminated.

Sec. 16, amended.

Tax rate governed
by State Municipal
Finance Act.

Conflicting laws
repealed.

H. B. 1255

CHAPTER 48

AN ACT TO AUTHORIZE PAYMENT TO J. B. ARMSTRONG, OF PENDER COUNTY, FOR INJURIES TO HIS DAUGHTER, DORIS ARMSTRONG, IN A SCHOOL BUS ACCIDENT.

Whereas, on January thirtieth, one thousand nine hundred thirty-seven, Doris Armstrong, a minor child of J. B. Armstrong, of Pender County, sustained serious injuries, resulting in the cutting and laceration of one of her hands, injuring the flesh, sinew, on account of overturning of the school bus in which she was riding, since which time she has incurred hospital, medical and other expenses of the sum of four hundred (\$400.00) dollars and neither she nor her father have any means with which to pay same; *Now, Therefore*,

Preamble: Serious
injuries sustained by
Doris Armstrong,
Pender County school
pupil, in school bus
accident.

Expenses incurred.

The General Assembly of North Carolina do enact:

SECTION 1. That J. B. Armstrong, of Pender County, be paid from contingency and emergency fund the sum of four hundred (\$400.00) dollars to cover hospital, medical bill and other expenses, and for services rendered to his minor daughter, Doris Armstrong, as the result of serious and permanent injuries sustained in the school bus accident on January thirtieth, one thousand nine hundred thirty-seven.

Payment of hospital
and other expenses
incurred on account
of injury to Doris
Armstrong, directed.

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

H. B. 1288

CHAPTER 49

AN ACT TO AMEND SECTION FOUR, CHAPTER ONE HUNDRED FOUR OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED THIRTY-ONE, RELATING TO SALE OF MARKET HOUSE IN THE TOWN OF ELIZABETH CITY.

The General Assembly of North Carolina do enact:

Chapter 104, Private Laws, 1931, amended, reducing minimum sale price of market house, Elizabeth City.

SECTION 1. That section four, chapter one hundred four of the Private Laws of one thousand nine hundred thirty-one, be, and the same is hereby amended by striking out in lines twenty-one and twenty-two the words "twenty-two thousand five hundred dollars" and inserting in lieu thereof the words "twelve thousand dollars."

Conflicting laws repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 22nd day of March, A.D. 1937.

S. B. 468

CHAPTER 50

AN ACT TO PROVIDE COMPENSATION TO IRA A. BROADAWAY, CLARENCE HARTLEY AND SCOTT WEANT, FATHERS OF PUBLIC SCHOOL CHILDREN, GRADY WEANT, CURTIS HARTLEY, FRANCES LOUISE BROADAWAY, MARY J. BROADAWAY AND AMANDA BROADAWAY, WHO WERE KILLED WHILE RIDING IN A PUBLIC SCHOOL BUS TO WOODLEAF PUBLIC SCHOOL IN ROWAN COUNTY; AND TO IRA A. BROADAWAY AND J. W. McCULLOUGH, FATHERS OF PUBLIC SCHOOL CHILDREN, ROY BROADAWAY AND NELL McCULLOUGH, WHO WERE SERIOUSLY INJURED IN THE SAME WRECK.

Preamble: Necessity of transportation of public school children to and from school by bus.

Whereas, for a number of years the transportation of public school children by motor bus to and from the public schools within the State of North Carolina, has been a necessity under the compulsory system of public schools obtaining in this state; and

School attendance mandatory for children of certain age.

Whereas, it is mandatory that public school children of given age must be by their parents sent to public schools; and

Transportation by state-owned busses necessary.

Whereas, the consolidation of public schools within the state has made it necessary that a large number of public school children within school age be by the school authorities of the state transported from their respective homes to the public schools in busses owned and operated by the state; and

Whereas, within the past several years deaths and serious

injuries among said public school children riding on said public school busses have occurred without any fault or negligence whatever on the part of said public school children or their parents, and that in most instances said parents are not financially able to pay the hospital, medical and funeral bills incurred in consequence of such deaths or injuries; and

Deaths and serious injuries among children riding on school busses.

Inability of parents to pay medical and funeral expenses.

Whereas, on the morning of the twenty-first of April, in the year one thousand nine hundred and thirty-three, while riding in a public school bus in Franklin Township, Rowan County, North Carolina, en route from their respective homes to the Woodleaf Public School in said county, and as the said school bus in which they, together with forty-four other public school children, were then riding was rounding a sharp, blind curve on a narrow dirt road, which had been designated by the public school authorities as the transportation route for said bus, and when said bus, in which they were riding, at the middle of said sharp, blind curve was side-swiped by another public school bus, coming with speed from the opposite direction, the following public school children, being residents of said township, and without any fault or negligence on their part, were killed, namely;

Circumstances of accident resulting in death and injury of certain school children, Franklin Township, Rowan County.

Children killed.

Grady Weant, aged thirteen, son of Scott Weant;

Curtis Hartley, aged twelve years, son of Clarence Hartley;

Frances Louise Broadaway, aged eleven years, daughter of Ira A. Broadaway;

Mary J. Broadaway, aged thirteen years, daughter of Ira A. Broadaway; and Amanda Broadaway, aged thirteen years, daughter of Ira A. Broadaway; and the following school children, without any fault or negligence on their part, were seriously and permanently injured; namely:

Children injured.

Roy Broadaway, aged twelve years, son of Ira A. Broadaway, permanently injured in his head and body and a patient in a local hospital for eleven months thereafter;

Nell McCullough, aged sixteen years, daughter of J. W. McCullough, permanently injured in her body and a patient in a local hospital for weeks thereafter; and

Whereas, both of said public school busses were at said time being operated by chauffeurs employed by the proper public school authorities of the state, over a narrow, crooked dirt road which had been designated by public school authorities as the transportation route to carry said school children to said school, notwithstanding there was another wider and straighter, though longer, dirt road available and a still longer but straighter and wider concrete road available, such designation being in pursuance of the State Economy Program directed by statute; and

Additional facts concerning said accident.

Whereas, said fathers are either tenant farmers or men of moderate means who could ill afford to pay the hospital, medical and funeral expenses imposed by the deaths or injuries of their said children; and

Hardship on fathers to pay medical and funeral expenses.

Whereas, the said fathers have no remedy at law: *Now, Therefore*,

No remedy at law.

The General Assembly of North Carolina do enact:

State School Commission directed to compensate fathers of school children killed and injured in school bus accident.

SECTION 1. That the State School Commission of North Carolina be and it is hereby authorized and directed to pay the said Ira A. Broadaway, Clarence Hartley and Scott Weant, fathers of said public school children, who were killed as set out in the preamble of this Act, the following respective sums of money, to wit: Eighteen hundred dollars (\$1,800.00) to said Ira A. Broadaway, father of said Frances Louise Broadaway, Mary J. Broadaway and Amanda Broadaway; and Six hundred dollars, (\$600.00) to said Scott Weant, father of said Grady Weant, and Six hundred dollars (\$600.00) to the said Clarence Hartley, father of Curtis Hartley; and pay to the said Ira B. Broadway the expenses incurred for medical treatment, doctors and hospitalization for his said injured son, Roy Broadaway, not to exceed the sum of Six hundred dollars (\$600.00), and pay to the said J. W. McCullough the expenses incurred for medical treatment, doctors and hospitalization for his said injured daughter, Nell B. McCullough, not to exceed Six hundred dollars (\$600.00); *provided* that funds necessary to carry out the provisions of this Act shall be paid out of the Emergency Fund in the event funds are not available out of the appropriations made for public schools. *Provided, however*, that the rights to compensation authorized by this Act to Ira A. Broadaway for said personal injuries to his son, Roy Broadaway, and to J. W. McCullough for said personal injuries to his daughter, Nell McCullough, respectively, shall not be paid unless and until an itemized verified statement thereof shall have been presented by said respective father to the State School Commission and approved by it.

Payment of compensation for personal injuries, conditioned on filing itemized verified statement of expenses.

Conflicting laws repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

H. B. 912

CHAPTER 51

AN ACT TO REIMBURSE GORDON BROOKS, OF CHATHAM COUNTY, NORTH CAROLINA, FOR AND ON ACCOUNT OF MONEY EXPENDED BY HIM AS RESULT OF AN INJURY SUSTAINED ON THE SECOND DAY OF MARCH, ONE THOUSAND NINE HUNDRED AND THIRTY-SIX, WHILE HE WAS EMPLOYED AS A TRUCK DRIVER FOR THE NORTH CAROLINA STATE HIGHWAY COMMISSION.

Preamble: Gordon Brooks, of Chatham County, injured while in employ of State Highway Commission.

Whereas, Gordon Brooks, of Chatham County, North Carolina, employed by the State Highway Commission, on the second day of March, one thousand nine hundred and thirty-six,

was injured without any fault on his part and while oiling a truck belonging to the State Highway Commission at its truck barn at the State Prison Camp, near Siler City in Chatham County, North Carolina, and as a result of such injury done and sustained was obliged to pay medical and hospital expenses in the sum of four hundred eighty-eight dollars and ten cents (\$488.10); *Now, Therefore,*

Medical and hospital expenses incurred.

The General Assembly of North Carolina do enact:

SECTION 1. That the said Gordon Brooks be paid from the Highway Fund of the State of North Carolina the sum of four hundred eighty-eight dollars and ten cents (\$488.10), and the State Highway Commission is authorized to pay to him such sum upon his filing with the Chairman of the State Highway Commission evidence showing and establishing the payment by him of such sum for hospital and medical treatment.

State Highway Commission authorized to compensate Gordon Brooks for injuries.

Condition.

SEC. 2. That the provisions of this Act shall not take effect unless approved by the Chairman of the State Highway Commission: *Provided, further,* that if Gordon Brooks receives any amount under the provisions of this Act he shall not be entitled to recover any sums under the Workman's Compensation Act.

Approval by Chairman of Highway Commission.

Recovery under Workmen's Compensation Act precluded.

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

H. B. 976

CHAPTER 52

AN ACT TO RELIEVE OR COMPENSATE EMERSON GILMER FOR PERMANENT INJURIES RECEIVED WHILE HE WAS ENGAGED IN THE ACT OF SAWING WOOD FOR THE DUDLEY HIGH SCHOOL LOCATED IN THE CITY OF GREENSBORO, NORTH CAROLINA.

Whereas, Emerson Gilmer is fifteen years old and is a student at Dudley High School, Greensboro, North Carolina, and was a student in said high school on or about November sixteenth, one thousand nine hundred thirty-six. On said date, he received permanent injuries to his left hand while engaged in the use of an electric saw in said school for school purposes. His injuries are more described in detail as follows: loss of one phalanx of the thumb, loss of two phalanxes of the middle or second fingers, and loss of two phalanxes of the third or ring finger. The outer side of the first phalanx of the index or ring finger was deeply gashed; and

Preamble: Permanent injuries sustained by Emerson Gilmer, student at Dudley High School, Greensboro.

Nature of injuries.

Whereas, said Emerson Gilmer is poor and in need of aid, and his injuries are permanent and of such a nature that he

Need of assistance.

will be handicapped for the rest of his life in his efforts to make a livelihood; and

Injury not covered by compensation provisions of School Law.

Whereas, this type of injury is not covered by any compensation provisions of the School Law of one thousand nine hundred thirty-five; Now, Therefore,

The General Assembly of North Carolina do enact:

Appropriation made for relief of Emerson Gilmer, payable to C. S. C., Guilford County.

SECTION 1. That the sum of three hundred dollars (\$300.00) is hereby appropriated to be paid to A. Wayland Cooke, Clerk of the Superior Court of Guilford County for the benefit and relief of Emerson Gilmer.

Conflicting laws repealed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

H. B. 1268

CHAPTER 53

AN ACT TO INCORPORATE THE CALVARY BAPTIST CHURCH OF THE CITY OF RALEIGH, WAKE COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Incorporation of Calvary Baptist Church of Raleigh.

SECTION 1. That the Calvary Baptist Church of Raleigh, North Carolina, be, and the same is hereby incorporated and created a corporate body politic under the name and style of "Calvary Baptist Church, Incorporated of Raleigh, North Carolina," for the purpose of engaging in religious service and promoting the spiritual, moral, and social welfare of its membership and community; and that the governing body of the said incorporated Calvary Baptist Church of Raleigh, North Carolina shall be known as the Board of Deacons, which Board of Deacons shall consist of twelve, or more, active members of the said church, who shall be elected by the membership at large at the annual church conference, or at a specially called church conference.

Purpose.

Governing body designated Board of Deacons.

Election of Deacons.

Duties and powers of Board of Deacons.

The duties of the Board of Deacons shall be to govern the affairs and policies of the said church, and shall serve the membership in an advisory capacity in accordance with the principle of the Southern Baptist Convention and to act in other capacities as deacons of the Baptist denomination may require in keeping with the general organization.

"Trustees of Calvary Baptist Church, Inc."

SEC. 2. That Clarence E. Mitchell, W. A. Baker, Jr., W. O. Floyd, Walter J. Ray, and Sherwood W. Brantley, their successors and associates, be, and are hereby named, designated, and created a body politic and corporate under the name and style of the "Trustees of Calvary Baptist Church, Incorporated, of Raleigh, North Carolina," with power to hold, purchase, sell,

Powers.

lease, mortgage, or convey all property of the said church, to contract and be contracted with, and to do all other acts and things which may be necessary for the holding, purchasing, selling, mortgaging, leasing, conveyance, or management of the property of the said church, subject, however, to the approval of a majority of the membership present at any regular or specially called conference of said church.

Clarence E. Mitchell and W. A. Baker, Jr. shall hold office and serve for a period of four years; Walter J. Ray, for three years; W. O. Floyd, for two years; Sherwood W. Brantley for one year, the membership of the said church at a specially called conference to so designate and approve the terms of the above named trustees; and, upon a vacancy or expiration of the term of any of the above named trustees, such vacancy or expired term shall be filled by a person or persons selected from the membership at a special or annual conference of the membership of said church.

SEC. 3. In order to carry out the purposes of "Calvary Baptist Church, Incorporated, of Raleigh, North Carolina" the following offices are created:

(a) Financial Secretary. That a Financial Secretary shall be elected annually by the majority of the membership present at the annual church conference, or at a special call conference whose duties shall be to keep an accurate membership roll, with the names and addresses of all members, active or otherwise, in a book furnished by the Church. The said Financial Secretary shall keep an accurate record of all contributions to the church from all members or other sources, in a book furnished by the church, and shall turn over all moneys so collected weekly to the Treasurer of the Church, receiving a receipt for the same signed by said treasurer.

(b) Treasurer. That there shall be a Treasurer elected annually by the majority of the membership present at the annual church conference, or at a special call conference, whose duties shall be to keep an accurate account of all moneys received from the financial secretary, or other sources. In addition to receiving said funds, it shall be the duty of the treasurer of said church to disburse all fund with proper voucher on approval of the Chairman of the Finance Committee, who shall countersign all vouchers issued for any and all purposes.

(c) Finance Committee. That there is hereby created a Finance Committee elected annually by the majority of the membership present at the annual conference, or at a special called conference, who shall approve all purchases of any nature and shall authorize the payment of all bills to the treasurer before payment is made, and the chairman of said Finance Committee shall countersign all vouchers made out by the treasurer before payment on bills are made.

SEC. 4. That such church may at any specially called or annual conference of said church designate such by-laws, rules and regulations as may be deemed proper to carry out the pur-

Staggered terms.

Approval of terms by membership.

Selection of successors.

Election of Financial Secretary.

Duties.

Election of Treasurer.

Duties.

Election of Finance Committee.

Powers and duties.

By-laws, rules and regulations.

Election of other officers, etc.

Conflicting laws repealed.

poses of said corporation, for its efficient management, and to elect, constitute and appoint such officers, committees, teachers, and assistants as may be deemed expedient.

SEC. 5. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 6. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

H. B. 1039

CHAPTER 54

AN ACT TO AMEND CHAPTER SEVENTY-THREE OF THE PUBLIC PRIVATE LAWS OF ONE THOUSAND EIGHT HUNDRED NINETY-SEVEN AS AMENDED BY CHAPTER FOUR HUNDRED SEVENTY OF THE PUBLIC PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED ELEVEN, RELATING TO THE CHARTER OF THE GRAND LODGE OF THE KNIGHTS OF PYTHIAS OF NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Ch. 73, Private Laws, 1897, amended.

Grand Lodge of Knights of Pythias authorized to maintain orphan home and home for aged.

Sec. 2 amended, increasing maximum value of property corporation may own to \$500,000.

SECTION 1. That chapter seventy-three of the Public Private Laws of one thousand eight hundred ninety-seven as amended by chapter four hundred seventy of the Public Private Laws of one thousand nine hundred eleven, be, and the same is hereby amended by adding at the end of the first paragraph after the words "North Carolina" the following: "Including the power to provide for, establish and maintain an orphan home for minors, also a home for aged Pythians and their wives, and to establish and maintain an endowment fund for either or both of these homes."

SEC. 2. That the second paragraph, be, and the same is hereby amended by striking out the word "one" in line three, and inserting in lieu thereof the word "five."

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

H. B. 1091

CHAPTER 55

AN ACT TO AUTHORIZE PAYMENT TO E. D. CHRISTENBURY, OF MONTGOMERY COUNTY, FOR INJURIES TO HIS DAUGHTER IN A SCHOOL BUS ACCIDENT.

Preamble: Injuries sustained by Alta Christenbury, of Montgomery County, as result of school bus collision.

Whereas, on March twenty-second, one thousand nine hundred thirty-four, Alta Christenbury, a minor child of E. D. Christenbury, of Montgomery County, sustained serious and permanent injuries resulting in the loss of a leg from a collision of

a school bus in which she was riding with a truck driven and owned by a person of no financial means, since which time she has incurred hospital and medical expenses of seven hundred forty dollars and ten cents (\$740.10) and neither she nor her father have any means to pay the same; *Now, Therefore,*

Hospital and medical expenses.

Inability of child and father to pay expenses.

The General Assembly of North Carolina do enact:

SECTION 1. That E. D. Christenbury of Montgomery County, be paid from the contingency and emergency fund the sum of five hundred dollars (\$500.00) to cover the hospital and medical bill for services rendered to his minor daughter, Alta Christenbury, seriously injured in a school bus accident on March twenty-second, one thousand nine hundred and thirty-four.

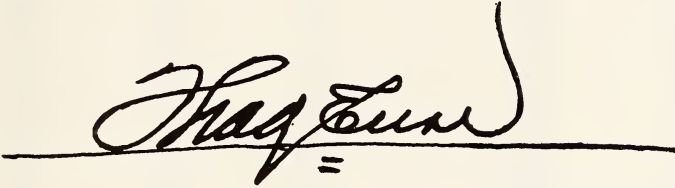
Appropriation made for hospital and medical expenses incurred on account of injuries to Alta Christenbury.

SEC. 2. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 23rd day of March, A.D. 1937.

STATE OF NORTH CAROLINA
OFFICE OF SECRETARY OF STATE
RALEIGH, N. C., MARCH 23, 1937

I, THAD EURE, Secretary of State of the State of North Carolina, hereby certify that the foregoing (manuscript) are true copies of the original Acts on file in this office.



Secretary of State.

NUMERICAL INDEX

SENATE AND HOUSE BILLS

PUBLIC-LOCAL LAWS

SENATE BILLS

S. B.	CHAP.	PAGE	S. B.	CHAP.	PAGE
4	6	8	156	196	189
9	4	3	165	279	266
11	32	35	169	155	156
12	15	17	170	117	117
19	29	32	172	156	156
28	20	24	176	157	157
29	7	10	177	494	452
30	5	6	182	240	225
34	46	48	185	158	158
36	21	25	186	159	159
37	22	25	187	322	305
41	12	15	188	133	131
43	57	55	189	134	131
44	30	33	190	160	160
51	62	58	198	161	160
52	31	34	201	203	193
54	23	27	202	198	191
55	65	60	206	204	196
57	81	88	207	162	162
61	33	35	208	205	198
63	109	109	209	206	199
77	63	59	218	199	191
79	111	111	220	200	192
80	82	88	223	323	305
89	66	61	224	431	395
91	67	61	225	201	192
92	112	112	228	531	498
94	87	93	233	324	307
95	88	94	238	320	303
113	113	114	242	202	193
115	194	188	243	163	162
132	110	110	254	281	271
138	129	124	258	385	358
139	114	114	259	325	308
140	130	128	275	539	507
146	83	89	279	326	309
147	115	115	282	386	359
151	154	155	287	387	360
152	131	129	288	327	310
154	132	130	292	540	508
155	195	188	294	541	509

S. B.	CHAP.	PAGE	S. B.	CHAP.	PAGE
302	328	311	369	502	462
304	388	362	372	503	462
305	389	362	374	504	463
310	436	401	375	505	464
316	495	455	376	506	464
317	390	363	377	507	465
319	437	401	378	435	400
322	329	312	381	441	404
328	330	312	388	532	500
329	331	313	390	508	466
333	391	364	397	509	466
335	432	396	399	510	467
337	392	365	406	511	467
338	496	455	407	617	574
339	433	397	408	533	501
341	497	457	411	512	468
342	498	457	412	534	502
347	438	402	426	513	468
348	439	402	428	535	502
350	499	458	439	536	504
351	332	313	443	618	575
352	542	509	448	545	511
360	500	460	449	514	469
362	434	400	453	514	472
363	393	365	460	537	504
364	543	510	473	516	473
366	501	461	483	619	575
367	440	403	485	620	576
368	544	511			

 HOUSE BILLS

H. B.	CHAP.	PAGE	H. B.	CHAP.	PAGE
11	8	10	62	34	36
13	164	163	66	11	14
14	165	164	67	48	49
15	135	132	68	100	103
16	84	90	71	43	45
17	2	1	73	13	15
27	47	48	75	24	27
28	3	2	77	69	65
33	10	14	80	70	66
38	1	1	81	17	22
39	68	64	82	18	22
41	58	55	83	49	49
57	9	12	84	50	50
59	16	21	85	51	50

H. B.	CHAP.	PAGE	H. B.	CHAP.	PAGE
86	35	37	220	102	104
88	19	23	221	208	200
89	136	133	222	334	315
96	44	46	227	76	83
97	14	16	228	335	316
101	36	38	230	120	119
104	166	164	231	121	119
105	59	56	232	77	83
106	71	66	238	282	272
107	60	57	239	94	99
110	25	28	241	241	227
111	37	39	244	168	166
112	38	39	247	138	135
113	39	40	248	139	137
114	52	51	253	95	100
116	53	51	254	140	138
121	40	41	255	103	104
125	27	29	258	104	106
126	54	52	261	141	139
129	55	53	262	169	166
133	56	54	263	242	227
136	167	165	267	79	86
137	64	59	269	170	167
139	41	42	271	80	87
141	26	28	273	171	168
142	207	200	285	209	202
147	442	404	290	172	168
148	45	46	296	142	139
150	89	94	299	173	169
153	90	95	300	96	101
154	443	405	302	122	120
155	91	96	303	174	170
159	85	92	305	243	228
162	118	118	306	175	171
165	61	58	310	143	140
167	28	31	311	97	101
170	72	69	312	98	101
172	73	78	314	86	92
182	92	97	316	105	106
183	119	118	318	106	107
186	101	103	319	144	140
187	93	98	321	321	304
189	74	79	322	78	84
200	333	314	323	99	102
202	42	44	326	123	120
211	116	116	327	145	148
214	552	521	328	124	121
217	75	80	329	107	108
218	137	133	334	176	172

H. B.	CHAP.	PAGE	H. B.	CHAP.	PAGE
335	146	149	481	184	179
337	147	150	492	152	154
338	148	151	494	185	179
343	444	407	495	289	279
348	210	202	500	219	210
350	125	121	501	186	180
353	177	173	503	187	180
354	126	122	506	220	211
358	211	202	507	221	212
359	149	151	508	251	236
360	244	229	512	222	212
366	245	229	515	223	213
367	394	366	516	290	279
370	127	122	517	336	318
374	150	152	518	224	214
375	178	174	522	225	214
380	189	182	523	411	382
381	246	231	525	291	280
382	128	124	526	226	215
385	283	272	529	153	155
386	247	232	531	188	181
393	190	183	532	252	238
396	179	175	534	227	215
397	108	109	535	337	318
399	410	381	538	253	238
400	212	203	539	228	216
402	213	204	540	254	239
403	214	205	542	255	240
409	621	576	543	457	415
411	180	176	545	256	241
412	151	153	556	229	218
419	284	273	559	230	218
427	191	184	566	292	281
431	395	367	568	231	219
432	396	367	576	257	241
441	181	176	579	232	219
442	215	205	584	258	242
443	248	232	585	192	186
445	285	273	594	338	320
448	216	207	595	259	243
449	249	233	596	260	243
452	250	234	598	233	220
455	182	178	599	293	281
457	217	208	605	553	521
459	218	209	606	261	244
473	517	473	607	262	244
475	183	178	608	234	221
476	286	276	610	272	252
477	287	277	611	263	245

H. B.	CHAP.	PAGE	H. B.	CHAP.	PAGE
612	235	221	739	352	330
614	236	222	740	353	330
615	273	253	746	305	292
616	274	262	747	306	293
617	339	321	748	623	579
619	340	322	749	307	294
621	237	223	750	308	295
628	341	322	751	309	296
629	372	344	752	310	297
635	238	224	753	311	299
636	239	224	756	312	299
637	264	246	757	277	265
638	342	323	758	624	579
639	265	247	759	399	369
642	266	248	760	313	300
650	397	368	761	314	300
651	267	249	763	315	301
652	275	262	766	278	265
658	343	324	767	316	301
662	193	187	769	354	331
664	268	250	770	355	333
665	269	251	771	317	302
671	270	251	779	356	335
680	271	252	780	357	335
683	344	324	783	358	336
685	554	522	785	359	336
686	345	325	786	360	338
691	276	263	787	298	287
694	294	282	788	362	339
695	412	382	789	363	339
696	295	283	792	364	340
698	296	284	793	365	341
701	398	369	794	366	341
703	346	326	795	367	341
707	347	327	796	368	342
708	348	328	797	288	278
711	349	328	798	361	338
712	297	286	799	413	383
713	350	328	801	280	270
718	555	522	802	369	342
719	299	288	803	414	384
725	300	289	804	370	343
726	301	289	805	415	385
727	622	577	806	371	344
731	351	329	807	400	370
732	302	290	808	556	523
735	303	291	809	318	302
736	304	291	812	373	345
738	518	474	813	416	386

H. B.	CHAP.	PAGE	H. B.	CHAP.	PAGE
814	557	523	947	427	392
815	374	351	948	566	530
816	375	351	951	408	377
817	376	352	952	428	393
821	377	353	954	429	394
824	401	371	955	567	531
825	378	354	956	463	424
826	379	355	958	568	532
827	558	524	959	569	533
828	380	355	960	464	425
831	381	356	961	465	425
832	417	386	962	466	426
836	559	525	965	467	426
840	560	527	967	448	409
842	319	303	970	520	479
843	418	387	974	468	427
852	445	408	980	627	581
856	561	528	984	469	427
857	402	373	985	449	411
863	562	528	990	570	534
864	382	356	991	571	534
865	419	388	993	470	428
869	625	580	996	471	428
870	420	388	999	472	429
880	403	374	1000	450	411
884	421	389	1003	473	434
885	404	374	1004	521	483
886	422	390	1009	572	535
890	446	408	1010	474	434
893	383	357	1014	522	484
896	405	375	1015	475	435
897	626	581	1016	476	435
900	384	358	1019	451	412
901	563	529	1022	477	436
903	458	417	1023	478	438
905	406	376	1024	573	536
906	459	421	1025	479	438
914	447	409	1026	452	412
916	407	376	1027	480	439
917	460	422	1028	481	439
923	564	529	1030	482	440
926	423	390	1031	574	537
933	424	391	1032	483	440
934	519	478	1038	484	443
939	461	422	1047	485	443
941	462	423	1048	453	413
944	425	391	1057	454	413
945	426	392	1061	575	538
946	565	530	1062	576	541

H. B.	CHAP.	PAGE	H. B.	CHAP.	PAGE
1063	430	394	1175	594	558
1064	523	488	1176	409	377
1065	524	493	1180	595	559
1067	486	444	1182	596	560
1069	487	446	1183	597	561
1070	577	541	1188	598	561
1072	578	542	1197	493	452
1080	579	542	1202	599	563
1085	580	543	1207	600	563
1088	581	543	1216	601	564
1094	635	589	1219	629	585
1095	582	543	1222	602	564
1099	525	494	1226	603	565
1100	488	447	1230	604	566
1101	526	495	1231	630	586
1103	546	512	1234	529	496
1104	527	495	1235	605	567
1105	547	512	1237	606	567
1106	455	414	1241	607	568
1110	489	447	1242	608	569
1114	490	448	1243	631	587
1115	548	513	1246	609	569
1117	550	516	1250	610	570
1118	549	515	1252	632	587
1121	551	518	1253	530	497
1122	583	544	1257	636	590
1123	491	448	1260	611	571
1125	584	544	1261	633	588
1126	492	449	1262	612	571
1127	528	496	1263	613	572
1132	585	550	1270	634	589
1137	538	507	1277	614	572
1141	637	590	1278	641	593
1142	638	591	1279	615	573
1144	586	550	1280	642	593
1145	639	591	1283	643	597
1150	587	551	1285	616	573
1151	640	592	1287	644	597
1152	588	551	1290	645	598
1153	456	415	1293	646	598
1154	628	583	1295	647	599
1158	589	552	1297	648	599
1159	590	553	1299	649	600
1165	591	554	1302	650	601
1166	592	556	1308	651	602
1173	593	557			

NUMERICAL INDEX

SENATE AND HOUSE BILLS

PRIVATE LAWS

SENATE BILLS

S. B.	CHAP.	PAGE	S. B.	CHAP.	PAGE
38	4	607	307	35	637
120	33	635	340	37	639
134	34	636	344	43	646
135	9	611	371	29	633
204	10	614	396	42	645
235	11	614	468	50	650
299	36	638	472	41	644

HOUSE BILLS

H. B.	CHAP.	PAGE	H. B.	CHAP.	PAGE
56	19	621	679	27	631
151	8	610	687	18	621
196	2	606	714	23	624
213	5	608	781	24	625
224	20	622	811	28	632
234	13	616	853	30	633
251	3	607	866	39	640
279	1	605	904	40	641
320	14	616	909	45	647
351	12	615	912	51	652
362	15	617	915	31	634
398	21	623	963	32	634
421	6	609	969	46	648
483	22	624	976	52	653
505	7	610	1039	54	656
565	16	618	1091	55	656
588	44	646	1245	47	648
624	38	639	1255	48	649
632	25	626	1268	53	654
634	26	626	1288	49	650
659	17	621			

INDEX TO PUBLIC-LOCAL AND PRIVATE LAWS

A

	PAGE
Aberdeen:	
Street and sidewalk assessments, time for payment extended.....	435
Acknowledgment—See Probate	
Agricultural Breeders' and Racing Commission, Rowan County, crea-	
tion of proposed.....	377
Agricultural Liens, Standard form for Bladen, Brunswick, Columbus,	
Duplin and Robeson Counties.....	583
Agricultural Tenancies:	
Term of, Anson, Bladen and Brunswick Counties.....	563
Rowan County, Act fixing term of repealed.....	101
Ahoskie:	
Tax foreclosures, proceedings of Town Commissioners postponing,	
validated.....	215
Airports:	
Charlotte, operation and regulation of municipal airport.....	525
Alamance County:	
Clerk of Superior Court, salary as Clerk of General County Court	301
Firearms, registration of.....	61
Fishing in certain streams regulated.....	404
Funding bonds authorized.....	124
Grand jurors, selection and regulation.....	530
Jail, appointment of keeper; jail regulations.....	498
Liquor store profits, division with municipalities.....	530
Register of Deeds, salary of.....	465
School districts, creation of; issuance of bonds.....	504
Sheriff, salary and expense allowance.....	392
Alcoholic Beverages:	
Alamance County, liquor store profits, division with municipalities	530
Alexander County, alcoholic beverages, sale within mile of	
churches in Hiddenite prohibited.....	124
Anson County, alcoholic beverages, sale within mile of Peachland	
prohibited	395
Asheville, liquor store profits, division between City and Bun-	
combe County.....	511
Atlantic, sale of intoxicating beverages prohibited.....	581
Autryville, sale of intoxicating liquor within mile of prohibited	508
Black Mountain, sale of intoxicating beverages prohibited.....	367
Buncombe County:	
Liquor store profits, division with City of Asheville.....	511
Sale of intoxicating beverages within mile of Swannanoa	
prohibited	367
Caldwell County, liquor store profits, division with municipalities	389

Alcoholic Beverages—Continued—

Carolina Beach, liquor store profits, division between Town and New Hanover County.....	428
Carteret County, sale of intoxicating beverages in Atlantic prohibited.....	581
Caswell County:	
Prohibition laws, certain laws repealed.....	49, 50
Prohibition laws amended.....	50
Catawba County, liquor store profits, division with municipalities	472
Culowhee, sale of wine, beer, etc. prohibited within mile of Western Carolina Teachers' College.....	455
Cumberland County, sale of gasoline to intoxicated persons prohibited	180
Davidson County, liquor store profits, division with municipalities	424
Durham County, liquor store profits, division with City of Durham	427
Forsyth County, sale of intoxicating beverages near Love's M. E. Church, Middlefork Township, prohibited.....	574
Granville County, liquor store profits, division with municipalities	356
Guilford County, liquor store profits, division with municipalities; expenditures for enforcement of liquor laws.....	391
Halifax County, elections on question of continuing liquor stores	510
Hamlet, liquor store profits, division between Town and Richmond County.....	393
Harnett County:	
Beer and wine, manufacture and sale near certain churches prohibited	104
(Amended, page 511)	
Liquor store profits, division with municipalities.....	564
Haywood County, Beaver Dam and Waynesville Townships, provision for establishment of liquor stores.....	552
Henderson County, liquor store profits, division with Town of Hendersonville.....	557
Hendersonville, liquor store profits, division between Town and Henderson County	557
Hiddenite, sale of alcoholic beverages within mile of certain churches prohibited	124
Hyde County, sale of intoxicating beverages on Ocracoke Island prohibited	521
Iredell County, liquor store profits, division with municipalities	468
Jackson County:	
Beer and wine, etc., sale near Western Carolina Teachers' College at Culowhee prohibited.....	455
Intoxicating beverages, sale near Glenville High School prohibited	589
Johnston County, sale of beer and wine on Sunday prohibited.....	387
Lee County, liquor store profits, division with municipalities.....	388
Little Switzerland, beer, wine, etc. prohibited within two miles of Church of the Resurrection.....	507

Alcoholic Beverages—Continued—

PAGE

McDowell County:

Alcoholic beverages prohibited near Church of the Resurrection, Little Switzerland	507
Liquor store profits, division with municipalities	439
Martin County, liquor store profits, division with municipalities	575
Mecklenburg County, liquor store profits, division with municipalities	302

Mitchell County:

Alcoholic beverages prohibited near Church of the Resurrection, Little Switzerland	507
Beer and wine, sale of prohibited	366
Monroe Municipal Park, Union County, sale of alcoholic beverages within half mile of prohibited	57
New Hanover County, liquor store profits, division with Carolina Beach and Wrightsville Beach	428
Ocracoke Island, sale of intoxicating beverages prohibited	521
Pasquotank County, liquor store profits, use of for retirement of bonded debt	336
Peachland, sale of alcoholic beverages within mile of railway depot prohibited	395
Pender County, liquor store profits, division with municipalities	390
Person County, liquor store profits, division with Town of Roxboro	402
Pink Hill, laws prohibiting alcoholic beverages repealed	193
Pitt County, liquor store profits, expenditures for law enforcement	365
Richmond County, liquor store profits, division with municipalities	393
Rockingham, liquor store profits, division between Town and Richmond County	393
Rowan County, liquor store profits, division with municipalities	550
Roxboro, liquor store profits, division between Town and Person County	402
Salemberg, sale of alcoholic beverages prohibited within three miles of	48
Salisbury, liquor store profits, division between City and Rowan County	550

Sampson County:**Intoxicating Liquors:**

Autryville, sale within mile of, prohibited	508
Franklin Township, sale within certain locality prohibited	509
Salemberg, sale within three miles prohibited	48
Scotland County, sale of alcoholic beverages prohibited within mile of Wagram	204
Swannanoa, sale of intoxicating beverages within mile of railway station prohibited	367
Tyrrell County, sale of intoxicating liquor near Sound Side Free-will Baptist Church prohibited	567

Union County:

Alcoholic beverages, sale near certain church prohibited	191
Liquor store profits, division with municipalities	575

	PAGE
Alcoholic Beverages—Continued—	
Vance County, prohibition laws, fees for arrest, distillery fees, etc., abolished	597
Wagram, sale of alcoholic beverages within mile of corporate limits prohibited	204
Warrensville, aldermen authorized to prohibit sale of alcoholic beverages	580
Wayne County, liquor store profits, division with municipalities	443
Western Carolina Teachers' College, Cullowhee, sale of beer, wine, etc. within mile of, prohibited	455
Wilkes County, sale of alcoholic liquors near certain churches and school prohibited	179
Wilmington, liquor store profits, division between City and New Hanover County	428
Wilson County, liquor store profits, division with municipalities	598
Wrightsville Beach, liquor store profits, division between Town and New Hanover County	428
Yancey County, sale of intoxicants prohibited	542
Alexander County:	
Alcoholic beverages, sale prohibited within mile of certain churches in Hiddenite	124
Bonds and notes validated; funding and refunding bonds authorized	280
Commissioners authorized to purchase land adjoining county home	329
County Accountant, commissions for collecting delinquent taxes	294
Delinquent taxes, collection of by County Accountant	294
Deputy Sheriffs, appointment of; salaries	87
Quail, killing with automatic shotgun; law prohibiting, amended	227
Register of Deeds, salary of	290
Alleghany County:	
Quadrennial reassessment of real estate	228
American Enka Corporation, Buncombe County Board of Education authorized to convey certain lands to	611
American Legion, Yancey County and Town of Burnsville, tax exemptions for club buildings	621
American Legion Recreational Park, New Hanover County, appropriation for	212
Andrews:	
Town Aldermen and Mayor, election of	215
Anson County:	
Alcoholic beverages, sale within mile of Peachland prohibited	395
Farm tenancies, term of	563
Plumbing and heating, practice regulated	403
Ansonville:	
Tax sales validated; time for foreclosures extended	496
Apex:	
Wake County Board of Education authorized to sell "Academy Lot"	396

Appropriations:**New Hanover County:**

American Legion Recreational Park, appropriation for completion	212
Community Hospital, appropriation for care of indigents.....	440
James Walker Memorial Hospital, appropriation for care of indigents	10
Sampson County, appropriation to Recorder's Court covering funds lost in Bank of Sampson.....	365

Wilmington:

Community Hospital, appropriation for care of indigents.....	440
James Walker Memorial Hospital, appropriation for care of indigents	10
Police Radio System, appropriation for maintenance of.....	409
Wilson, Town and County, appropriations for public library.....	538

Archdale-Trinity Sanitary District, Guilford and Randolph Counties, establishment, etc.	318
--	-----

Armstrong, J. B., compensation for injuries to daughter.....	649
--	-----

Ashe County:

Board of Education, appointment of; County Superintendent of schools, selection of	369
Bonded indebtedness, law relating to adjustment of, amended.....	327
Depositories for public funds, designation of.....	1
Municipalities, limitation on borrowing by, repealed.....	376
Quadrennial reassessment, regulation of; equalization of values.....	388
Tax foreclosure actions, extension of time; postponement of tax sales validated	229
Tax foreclosure suits, attorneys' fees in.....	230

Asheville:

Board of Financial Control, Buncombe County, abolished; Board of Tax Supervision created, duties, etc.....	69
(Law amended, 155)	
(Law repealed and re-enacted, 253)	
Charter amended; executive and administrative officials, compensation of	35
Civil Service Board created; duties, compensation, etc.....	17
Central Bank and Trust Co.; foreclosures of deeds of trust validated; substitution of trustees.....	609
Election Board named; registration of voters	130
Liquor store profits, division between City and Buncombe County	511
Motor Vehicles, registration tag required.....	115
School Board, appointment of members.....	114
Sinking Fund Commission created; duties, etc.....	3
Swine, regulation of importation of.....	251
Y. M. C. A., charter amended.....	610

Assessments—See Taxes and Taxation

	PAGE
Atlantic:	
Intoxicating beverages, sales of prohibited.....	581
Merchandise, sale during certain hours on Sunday prohibited.....	375
Atlantic Beach , incorporated as town; appointment and powers of officers; provision for maintenance of boardwalks, etc.....	397
Auditing , Books and records of county officials, Hyde County.....	153
Auditor —See State Auditor	
Aulander:	
Acquisition and sale of property authorized.....	39
Bonds acceptable in payment of certain taxes and assessments.....	40
Boundaries changed.....	383
Corporate limits redefined.....	154
Delinquent tax sales, extension of time for.....	343
Disposition or division of property acquired at tax foreclosures by Town and Bertie County.....	270
Foreclosure of tax sales certificates, extension of time for; foreclosures validated.....	344
Funding bonds authorized.....	384
Mayor and police, jurisdiction extended.....	371
Refunding bonds authorized.....	384
Street assessments, extension of time for paying, validated; collection of assessments.....	342
Tax sales and tax sales certificates validated.....	39
Tax sales validated; conduct of tax sales.....	343
Town Clerk and other officials, employment of.....	370
Automobiles:	
Asheville, registration tag required.....	115
Graham County, automobile for use of county, law relating to purchase of, repealed.....	150
Mount Airy, traffic court created.....	184
Autryville:	
Sale of intoxicating liquor within mile of, prohibited.....	508
Avery County:	
Contract between County and H. E. Daniels validated.....	300
County Commissioners, appointment; terms; compensation.....	65
Dog taxes used to pay damages by dogs to sheep.....	151
Sheriff, fees of.....	279
Silver foxes grown for commercial purposes, limitation of tax values.....	318
Tax Collector, additional compensation of.....	301
Aviation , Richmond Flying Club of Rockingham created.....	610
Ayden:	
Tax sales validated; time for bringing tax and assessment foreclosure suits extended.....	496
B	
Banks and Banking:	
Ashe County, depositories for public funds, designation of.....	1
Duplin County, depositories for public funds, designation of.....	38

Banks and Banking—Continued—

Stokes and Surry Counties, closed bank dividends, payment to Clerk of Superior Court where address of depositor unknown	493
Yadkin County, depositories for public funds, designation of	315

Banner Elk , maximum tax rate	648
--------------------------------------	-----

Baseball:

Camden County, Sunday baseball legalized	46
Cherokee County, Sunday baseball legalized; regulations	163

Beaufort County:

Blount, W. A., Jr., compensation for collecting taxes	117
Delinquent taxes, act providing for adjustment of	14
Fishing, regulations of use of long haul or drag nets in certain rivers	248
Recorder's Courts of Washington, Long Acre and Chocowinity Townships given jurisdiction over certain violations	249
Tax Collector directed to collect license tax on dogs and vaccinate dogs against rabies; fees	156
Titles to land determined to be in Beaufort instead of Martin County, ratified	359

Beaufort, Town of:

Delinquent taxes, adjustment of; bonds acceptable for taxes	415
Mayor, salary of	330
Park Commission created; duties, etc.	277

Beer—See Alcoholic Beverages**Bertie County:**

Aulander mayor and police, territorial jurisdiction extended	371
Board of Education, membership increased; nomination and election	208
Grand Jury, selection and term of	168
Property acquired at tax foreclosures by County and Aulander, disposition or division of	270
Tax sales validated	218
Transfer of cases in Superior Court to General County Court	218

Bessemer City:

Time for bringing tax foreclosure actions extended	21
--	----

Bethany School District , Rockingham County, division into three districts	447
---	-----

Black River Township Road District , Cumberland County, assumption of road bond indebtedness by County	114
---	-----

Black Mountain:

Intoxicating beverages, sale of prohibited	367
Paving assessments, etc., adjustment of	23

Bladenboro:

Corporate limits defined	512
Interest and penalties on certain tax assessments, remission of	495
Tax Collector, appointment of; compensation	512

Bladen County:

Agricultural liens, standard form	583
Auditor, salary of	495

	PAGE
Bladen County—Continued—	
Carvers Creek Cemetery, boundaries; appointment of trustees, etc.	614
Chattel mortgage, standard form	513
Clerk of Superior Court, clerical assistance provided	532
Farm tenancies, term of	563
Public drunkenness made misdemeanor	178
Recorder's Court:	
Additional costs taxed against defendants convicted or plead- ed guilty	425
Prosecuting Attorney, salary of	425
Register of Deeds, clerical assistance provided	533
Superior Court, terms of; trial of civil cases at Criminal term	24
Blount, W. A., Jr., compensation for collecting certain taxes, Beaufort County	117
Blue Laws:	
Atlantic, Sale of merchandise on Sunday during certain hours prohibited	375
Camden County, Sunday baseball legalized	46
Cherokee County:	
Operation of moving picture theatres on Sunday legalized during certain hours	164
Sunday baseball legalized during certain hours	163
Johnston County, regulation of sales of merchandise on Sunday; sale of beer and wine on Sunday prohibited	387
Rowan County, horse and dog races on Sunday prohibited	379
Vance County, law prohibiting sale of merchandise on Sunday within certain locality, repealed	467
Boards of Commissioners—See particular City, Town or County	
Boards of Education—See particular County	
Boards of Health—See particular County	
Bonds and Notes:	
Alamance County:	
Creation of school districts; issuance of bonds	504
Funding bonds authorized	124
Alexander County:	
Bonds and notes validated; funding and refunding bonds authorized	280
Short term notes, issue of for purchase of land adjoining County Home	329
Ashe County:	
Bonded indebtedness, law relating to adjustment of, amended	327
Municipalities, limitation on borrowing by, repealed	376
Aulander:	
Bonds acceptable in payment of certain taxes and assessments	40
Funding bonds authorized	385
Refunding bonds authorized	384
Beaufort, Town of, bonds acceptable in payment of certain taxes	415
Brevard, bonds acceptable in payment of certain taxes and assessments	296

Bonds and Notes—Continued—

Brunswick County, funding and refunding bonds authorized; proceedings validated	46
Bryson City, adjustment of bonded indebtedness, law relating to, amended	320
Buncombe County, bonds and notes for school buildings authorized	266
Burke County:	
Funding bonds authorized	137
(Law repealed and re-enacted, page 333)	
School districts, creation of; issuance of bonds	544
Township road bonds, referendum on question of assumption of	135
(Law repealed and re-enacted, page 331)	
Carteret County:	
Bonds acceptable in payment of taxes	416
Funding, refunding, etc. bonds and notes authorized	368
Caswell County, bonds of sanitary districts validated	51
Chatham County, law relating to issuance of bonds repealed	109
Cleveland County, Shelby School District bonds validated	211
Columbus County:	
Act requiring proposed bond issues to be submitted to vote, repealed	164
County Home bonds, issue and sale authorized, subject to referendum	42
(Law amended, page 570)	
County Home bond issue, election validated	570
Concord, bond anticipation notes validated; funding bonds authorized	158
Davidson County, bond issue for new county building authorized, subject to referendum	401
Elkin, time for issuance of funding and refunding bonds extended	83
(Law amended and re-enacted, page 174)	
Ellerbe, bonds acceptable in payment of delinquent taxes	515
Franklin County, school districts, creation of; issuance of bonds	564
Gates County, school districts, creation of; issuance of bonds	593
Greene County, proceedings for authorization and sale of courthouse bonds validated	534
Guilford County, Act authorizing expenditure of unused proceeds of school bond issue	29
Hamilton Lakes, bonds acceptable in payment of back taxes	288
Hendersonville:	
Bonds and coupons acceptable in payment of taxes and assessments	273
Outstanding indebtedness in bonds, notes, etc. validated	494
Hickory, bonds authorized for purchase of property to widen streets and sidewalks	363
High Point, revenue bonds authorized	60
(Law amended, page 528)	

	PAGE
Bonds and Notes—Continued—	
Lake Lure, bonds acceptable in payment of delinquent taxes.....	239
Lincolnton, aldermen authorized to issue bonds.....	92
Maxton, bonds or notes authorized for construction of building, subject to referendum.....	458
Mebane, sewage disposal bonds authorized.....	157
Morehead City, bonds acceptable in payment of taxes.....	415
Nash County, Mannings Township road bonds, funding authorized	585
Pasquotank County, use of liquor store profits for retirement of bonded debt	336
Pitt County, school district bonds, issuance of.....	362
Rockingham, Town of, bonds validated; funding and refunding bonds authorized	15
Rocky Mount, bonds for gymnasium validated.....	8
Salisbury, bond anticipation loan notes validated; funding bonds authorized	322
Shelby:	
Bond anticipation notes validated; funding bonds authorized	245
Shelby School District, bonds validated.....	211
Southern Pines School District, Special election on question of bond issue for school buildings authorized.....	484
Spindale, sewer bond proceedings validated; issuance of bonds authorized	276
Swain County, bonded debt adjustment authorized; tax rate limited	320
Transylvania County, bonds and notes acceptable in payment of taxes	186
Warsaw, bonds validated; refunding and funding bonds authorized	421
Wayne County, refunding bonds authorized.....	12
Whiteville, bond anticipation note validated; funding bonds au- thorized	171
Willow Dale Cemetery funds, investment in bonds of Wayne County and Goldsboro.....	607
Wilson, Town of, industrial enterprise, issuance of bonds for promotion of, authorized	171
Windsor, bonds acceptable in payment of taxes and paving assess- ments	97
Bondsmen:	
Buncombe County, Professional bondsmen, act regulating	352
Bostic:	
Commissioners authorized to furnish power and light for town and citizens	196
Tax Assessor, appointment of	197
Tax Collector, appointment of	196
Tax lists, assessments and levies for certain years validated.....	198
Boxing and Wrestling:	
Charlotte, Boxing and Wrestling Commission created.....	168
High Point, Boxing and Wrestling Commission created.....	108

	PAGE
Brevard:	
Bonds acceptable in payment of certain taxes.....	296
Golf course, operation and regulation of.....	295
Private sale of property acquired through tax foreclosure au- thorized	169
Transylvania County authorized to remit taxes on property used exclusively for public purposes	633
Bridgeton:	
Charter amended as to primaries and elections.....	173
Broadaway, Ira A., compensation for injuries and death of children.....	650
Brookford:	
Corporate limits defined.....	328
Brooks, Gordon, compensation for personal injuries.....	652
Brunswick County:	
Agricultural liens, standard form.....	583
Chattel mortgage, standard form.....	513
Delinquent taxes, adjustment of.....	83
Farm tenancies, term of.....	563
Funding and refunding bonds authorized; proceedings validated; tax levy directed.....	46
Hunting with automatic shot gun capable of holding over three shells prohibited	415
Sheriff, travel expense allowance of.....	572
Tax Collector, salary of.....	412
Bryson City:	
Bonded debt adjustment authorized; tax rate limited.....	320
Buncombe County:	
Asheville Township, salary of deputy constable.....	22
Board of Education authorized to convey certain lands to Ameri- can Enka Corporation.....	611
Board of Financial Control abolished; Board of Tax Supervision created, duties, etc.....	69
(Law amended, page 155)	
(Law repealed and re-enacted, page 253)	
Bondsmen, professional bondsmen regulated.....	352
Fees of jurors in Superior Court and General County Court.....	55
Fireworks prohibited	64
Intoxicating beverages, sale within mile of Swannanoa prohibited	367
Liquor store profits, division with City of Asheville.....	511
Milk containers, wrongful use of prohibited.....	600
Sales of bankrupt, insolvent and fire damaged merchandise, regulated	401
School districts, creation of; issuance of bonds; levy of taxes.....	266
School supplement elections authorized.....	200
Second hand merchandise, pledging, purchase and sale of, regulated	166
Sheriff and Chief Deputy, salaries of, etc.....	250

	PAGE
Buncombe County—Continued—	
Sinking Fund Commission created; duties, etc.....	3
Amended as to members.....	89
Swine, regulations for importation.....	251
Tax discounts and penalties, payments by installments.....	75, 258
Bureau of Identification, created for Wake County.....	502
Burgaw, law defining corporate limits, amended.....	624
Burke County:	
Board of Education, nomination and election.....	394
City Administrative Units of Morganton and Glen Alpine, pay- ment of certain sums to.....	53
Funding notes authorized.....	137
(Law repealed and re-enacted, page 333)	
Grand jurors, selection and term; regulation.....	448
Petit jurors, selection of	449
Register of Deeds placed on commission and fee basis.....	529
Sale of personal property acquired before sale of real property for taxes.....	324
School districts, creation of; issuance of bonds.....	544
Tax penalties abolished.....	324
Township road bonds, election on question of assumption of.....	135
(Law repealed and re-enacted, page 331)	
Valdese School District, special school tax election authorized.....	518
Burnsville:	
Commission form of government provided for; election of Mayor and Commissioners	325
Tax exemptions to civic clubs, American Legion, etc.....	621
Bynum, William Preston, Trustees of U. N. C. authorized to release rights under will of.....	616
C	
Cabarrus County:	
County Criminal Court, Act to fix jurisdiction, etc. repealed.....	462
Deputy Sheriffs, appointment for rural sections; duties and salaries	452
Fees of sheriff and other officers for making arrests in criminal cases	573
Caldwell County:	
County Law Library, establishment and maintenance of.....	225
Liquor store profits, division with municipalities.....	389
Register of Deeds, salary of.....	118
Rural policemen, law authorizing appointment of, repealed.....	468
Sheriff's fee for levying attachment.....	502
Calvary Baptist Church of Raleigh, incorporated.....	654
Camden County:	
Hog cholera virus, sale and use of.....	551
Interest and penalties on certain delinquent taxes, remission of.....	159
Sunday baseball legalized.....	46
Tax foreclosures, 1933, time extended.....	15

	PAGE
Camden County—Continued—	
Tax levy authorized to pay expenses of trial of "State vs. McPherson"	381
Camp Grounds, Tucker's Grove Camp Ground, Lincoln County, incorporated	422
Canton:	
Graded school district, election of trustees	170
Municipal elections, new registration not required	179
Police Court, election of prosecuting attorney; duties, etc.	587
Capital Printing Company, printing bill ordered paid	616
Carnivals:	
Richmond County, Travelling Carnival companies, etc. prohibited ..	221
Wilson County, showing or advertising carnivals within ten days prior to or during County Fair prohibited	358
Carolina Beach:	
Collection of taxes by City-County Tax Collector; compensation ..	246
Delinquent taxes, adjustment of	224
Liquor store profits, division between Town and New Hanover County	428
Mayor and aldermen, compensation of	224
Tax rate, limitation on; Board of Commissioners changed to Board of Aldermen	323
Town Clerk, made ex-officio Town Treasurer	247
Carrboro:	
Delinquent tax sales validated	339
Orange County tax abstracts, use of by town	339
Tax levies validated	287
Carteret County:	
Adjustment of indebtedness authorized; funding, refunding or exchange bonds or notes authorized	368
Atlantic:	
Intoxicants, sale of prohibited	581
Merchandise, sale on Sunday during certain hours prohibited ..	375
Delinquent taxes, adjustment of; bonds acceptable in payment of taxes	415
Hog cholera serum, administration of; quarantine upon outbreak of cholera	369
Sheriff, salary of	521
Carvers Creek Cemetery, Bladen County, boundaries; appointment of Trustees, etc.	614
Caswell County:	
Fox hunting, open season for	382
Prohibition enforcement, certain laws relating to, amended	50
Prohibition enforcement, certain laws relating to, repealed	49, 50
Recorder's Court abolished; provision for establishment of court in future	104
Sanitary Districts, proceedings for creation of validated; bond elections and bonds validated	51

	PAGE
Caswell County—Continued—	
Sheriff, fees of.....	281
Special tax levy for certain purposes.....	214
Tobacco thieves, Sheriff's fee for arrest and conviction of.....	138
Catawba County:	
County officials, powers; duties; salaries.....	133
Fishing, uniform regulations applicable to.....	232
Law enforcement officers, territorial jurisdiction of.....	544
Law Library, establishment and maintenance of.....	112
Liquor store profits, division with municipalities.....	472
Map of Hickory drawn by H. W. Robinson, registration of.....	607
Quail hunting with automatic shotgun prohibited; exception.....	272
Real estate owned by municipalities, authority and procedure for sale of	209
Street and sidewalk assessments, municipalities authorized to make adjustment of.....	193
Tax Commission created; appointment of members and Tax Supervisor; powers; duties, etc.....	80
Taxes, 1933 and prior years, adjustment of penalties, interest and cost	229
Catawba, Town of:	
Corporate limits defined.....	464
Cash Depositories—See Banks and Banking	
Cemeteries:	
Carvers Creek Cemetery, Bladen County, boundaries, appointment of Trustees, etc.....	614
Dunn, management of cemetery transferred to Board of Commissioners	86
Winston-Salem, Removal of part of Liberty Graveyard authorized	501
Central Bank and Trust Company, Asheville, foreclosure of Deeds of Trust validated; substitution of Trustee.....	609
Charity—See Public Welfare	
Charlotte:	
Airport Commission, appointment of; operation and regulation of municipal airport.....	525
Attorneys, employment of for occasional extra work authorized.....	602
Boxing and wrestling regulated; Commission created.....	168
City Attorney, office created; duties, etc.....	165
(Law amended, page 602)	
Delinquent taxes, penalties, etc., 1934 and prior, adjustment of.....	560
Drainage District, creation of authorized.....	360
Police and fire departments, jurisdiction extended over City property outside limits.....	364
Sewage service, authority to furnish to property owners outside city; enforcement of charges.....	358
Tax penalty or interest rate fixed.....	561
Title to property condemned vested in City.....	33
Charters of Cities and Towns—See under Particular City or Town	

	PAGE
Chatham County:	
Bonds, law relating to issuance of, repealed.....	109
Fishing in certain waters prohibited.....	222
Tax sales validated; postponement of tax sales validated.....	28
Chattel Mortgages:	
Standard form of, in Bladen, Brunswick, Columbus, Duplin and Robeson Counties.....	513
Cherokee County:	
Clerk of Superior Court, salary of.....	48
Jury Commission, appointment of members.....	221
Moving picture theatres, operation on Sunday legalized during certain hours	164
Pool and billiard rooms, regulation of.....	132
Private sale of property acquired by county and municipalities at tax foreclosures authorized.....	566
Sheriff, schedule of fees.....	90
Sunday baseball legalized, subject to regulations.....	163
Chimney Rock Township, Rutherford County, Tax Commission created; powers and duties.....	216
China Grove:	
Special assessments, extension of time for payment.....	265
Chowan County:	
County Commissioners, nomination and election.....	392
Recorder's Court granted exclusive original jurisdiction of petty misdemeanors	205
Christenbury, E. D., compensation for injuries to daughter.....	656
Churches:	
Alexander County, sale of alcoholic beverages near churches in Hiddenite prohibited.....	124
Calvary Baptist Church of Raleigh, incorporated	654
Evangelical and Reformed Church, Consistory of Corinth Congregation, Hickory, Property rights of Trustees of Claremont College transferred to.....	631
Forest City, churches relieved of paving assessments.....	94
Fork Baptist Church, Board of Education, Davie County, authorized to convey certain property to.....	644
Forsyth County, sale of alcoholic beverages near Love's M. E. Church, Middlefork Township, prohibited	574
Harnett County, manufacture and sale of beer and wine near certain churches prohibited.....	104
(Law amended, page 511)	
Little Switzerland, alcoholic beverages prohibited within two miles of Church of the Resurrection.....	507
Mount Holly, Church properties exempt from paving assessments	140
Sampson County, sale of intoxicating liquor near Siloam Baptist Church prohibited	509
Tyrrell County, sale of intoxicating liquor near Sound Side Free-will Baptist Church prohibited.....	567

	PAGE
Churches—Continued—	
Union County, sale of alcoholic beverages near certain church prohibited	191
Wilkes County, sale of intoxicating liquors near certain churches prohibited	179
Circuses:	
Richmond County, carnivals, etc. prohibited.....	221
Wilson County, showing or advertising within ten days prior to or during County Fair prohibited.....	358
Cities and Towns—See Particular City or Town	
City Manager:	
Kinston, appointment of; powers, duties, etc.....	594
Civic Clubs, Yancey County and Town of Burnsville authorized to grant tax exemptions to.....	621
Civil Service:	
Asheville, Civil Service Board created	17
Greenville, Police and fire departments placed under civil service	417
High Point, Civil Service Commission created.....	140
(Law amended, page 373)	
Claremont Female College, charter repealed; property transferred ...	631
Clark, M. K., official acts as Justice of Peace, Franklin County, validated	428
Clay County:	
Pool and billiard rooms, regulations.....	132
Clayton:	
Town officials, time for taking office.....	354
Cleveland County:	
Auditor, salary of.....	279
Primary elections, regulations; new registration ordered.....	405
Shelby School District, bond election and bonds for school building validated	211
Tax foreclosures, time extended.....	95
Tax sales and certificates validated.....	95
Coal and Coke, Wilkes County, regulation of sale.....	581
Columbus County:	
Agricultural liens, standard form.....	583
Bond issues, Act requiring submission to voters, repealed	164
Chattel mortgage, standard form.....	513
County Home Bonds, issue and sale authorized, subject to referendum	42
(Law amended, page 570)	
County Home bond issue, election validated.....	570
Junk yards, prohibited near residences in municipalities.....	598
Recorder's Court, civil jurisdiction; salaries of officials, etc.....	236
Commissioner of Revenue:	
Fisher, Roy Edward, compensation for loss of limb.....	617
Norville, J. C., gasoline tax refund to.....	606
Commissioners, County Boards of—See under Particular County	
Compensation—See Salaries and Fees	

	PAGE
Concord:	
Bond anticipation notes validated.....	158
Mayor and aldermen, terms enlarged.....	312
Town charter, amendment to.....	633
Condemnation—See Eminent Domain	
Constables:	
Buncombe County, Asheville Township, Salary of Deputy Con- stable	22
Durham County, payment of fees to constables for making ar- rests in certain cases.....	411
Greene County, law relating to jurisdiction of constables repealed	576
Haywood County, Waynesville Township, office of Deputy Con- stable abolished	202
Conveyances—See Deeds and Conveyances	
Coroners—See under Particular County	
Corporate Limits—See under Particular City or Town	
Costner, Ernest, compensation for death of daughter.....	645
Cotton Weighers:	
Pitt County, Farmville Township, office of, created; duties, etc.....	292
Town of Monroe, Law fixing compensation of cotton weigher, amended	624
Counties—See Particular County	
County Boards of Education—See under Particular County	
County Boards of Health—See under Particular County	
County Homes—See under Particular County	
County Manager, Pender County, designation of.....	207
Court Cryer, Henderson County, appointment as full time officer; compensation	447
Court Reporters:	
Forsyth County, official Court Reporter and Assistant, appoint- ment of; duties; compensation, etc.....	479
Courts:	
County Criminal Courts:	
Cabarrus County, Act to fix jurisdiction, define procedure, etc., repealed.....	462
General County Courts:	
Alamance County, Salary of Clerk of Superior Court as Clerk of General County Court.....	301
Bertie County, Transfer of cases in Superior Court to General County Court	218
Buncombe County, Fees of jurors.....	55
Duplin County, Solicitor's fees, payment to County Treasurer	49
Forsyth County, Appeals to Superior Court, procedure.....	310
Fees of clerk.....	345
Stanly County, Additional sittings of court; salaries of judge and prosecuting attorney.....	569
Wayne County, Court given jurisdiction of certain misde- meanors; court day changed.....	326

	PAGE
Courts—Continued—	
Wilson County, Records required in petty misdemeanor cases	529
Mayor's Courts:	
Aulander, Jurisdiction of mayor extended	371
Oxford, Fees and costs of Mayor's Court	79
Selma, Jurisdiction of Mayor extended	265
Spencer, Mayor and Recorder's Court—See Courts under Recorder's Courts	
Municipal Courts:	
Hickory, Territorial jurisdiction of Municipal Court extended	543
High Point Municipal Court, Privision of law for remanding certain civil cases to Superior Court for trial, repealed	311
Salaries of officials	311
Lenoir County Municipal Court, Salaries of Judge and Solicitor	464
Police Courts:	
Canton, Prosecuting attorney of police court, election, duties, salary, etc.	587
Recorder's Courts:	
Beaufort County, Recorder's Courts of Washington, Long Acre and Chocowinity Townships given jurisdiction over certain violations	249
Bladen County, Salary of prosecuting attorney	425
Additional costs taxed against defendants convicted or pleaded guilty	425
Caswell County, Recorder's Court abolished; provision for establishment of court in future	104
Chowan County, Exclusive original jurisdiction of petty misdemeanors	205
Columbus County, Civil jurisdiction conferred on County Recorder's Court	236
Cumberland County, Criminal warrants issued by J. P.s in certain cases returnable direct to Recorder's Court; fees, etc.	497
Currituck County, Appointment of assistant trial justice	92
Durham County, Fee taxed in certain cases for Police Officers Protective Association	589
Granville County, Fees for recorder and prosecuting attorney taxed as costs	590
Hoke County, Jury trials; deposit for costs	377
Iredell County, Costs and witness fees	307
Johnston County, Terms of Judge and Solicitor increased	599
Leaksville Township, Rockingham County, Salaries of Recorder and Solicitor	590
Mount Airy Township, Surry County, Rules as to pleadings and procedure	478
Traffic Court department created	184
Monroe, Salaries of officials of Recorder's Court	312

	PAGE
Courts—Continued—	
Richmond County, Election and salary of solicitor of County Recorder's Court	535
Mark's Creek Township Recorder's Court, Salary of Recorder	535
Robeson County, Jurisdiction of Recorder's Court	25
Provision for jury trials in Recorder's Court	190
Rockingham County, Salaries of Recorder and Solicitor of Leaksville Township Recorder's Court	590
Sampson County, Recorder's Court clerks released from liability for funds lost in closed bank	365
Spencer, Mayor and Recorder's Court, Clerk, appointment of; duties and salary	450
Contempt, Recorder's power to punish for	451
Fees for recorder, prosecuting attorney and clerk	451
Judgments, transcripts of docketed in Rowan County Superior Court	451
Prosecuting attorney, election of; salary	496
Recorder, salary of	450
Stanly County, Provision preventing recorder and prosecuting attorney from succeeding themselves, repealed	541
Surry County, Mount Airy Township Recorder's Court, rules as to pleadings and procedure	478
Traffic Court department created	184
Union County, Jury trials abolished in Recorder's Court	286
Vance County, Clerk, compensation of	188
Court given jurisdiction over stolen goods to value of \$20	340
Prosecuting attorney, appointment of	340
Recorder, salary of	203
Wake County, Payment of one-half costs when defendant sentenced to work on State roads	394
Wake Forest Recorder's Court, Qualifications, election, compensation, of officials; fees; jurisdiction	516
Wake Forest Recorder's Court, Salaries of officials	305
Warren County, Solicitor of Recorder's Court made Assistant Solicitor of Superior Court; salary	571
Judge and Solicitor, Compensation	291
Superior Courts:	
Alamance County:	
Clerk of Superior Court, salary as Clerk of General County Court	301
Grand Jury, selection and terms of	530
Bladen County:	
Civil cases, trial of at criminal terms	24
Clerk of Superior Court, clerical assistance provided	532
Court terms	24
Buncombe County, fees of jurors	55
Burke County, selection and terms of grand jury	448

	PAGE
Courts—Continued—	
Catawba County, Clerk of Superior Court, salary of; clerical assistants provided.....	133
Cherokee County, Clerk of Superior Court, salary of.....	48
Jury Commission, appointment of members.....	221
Duplin County, Clerk of Superior Court required to pay Solicitor's fees of General County Court to County Treasurer	49
Forsyth County:	
Appeals from County Court, regulations	310
Clerk of Superior Court, fees of.....	198, 345
Grand jury, selection and terms of.....	199
Franklin County, Clerk of Superior Court and Deputy, salary of; provision limiting clerical help repealed.....	249
Granville County:	
Clerk of Superior Court:	
Commissioners authorized to fix bond of.....	439
Fees of	544
Greene County, Criminal court calendar, act providing for....	202
Halifax County, Grand jurors, selection and term of.....	302
Harnett County:	
Grand jury, selection and term of.....	54
Jurors, fees of.....	78
Hoke County, Transfer of cases from Recorder's Court to Superior Court for jury trial.....	377
Hyde County, Clerk of Superior Court, duties and compensation	139
Jones County, Clerk of Superior Court, schedule of fees.....	429
Lenoir County, Clerk of Superior Court, clerical assistants provided	572
McDowell County, Clerk of Superior Court, clerical assistance provided; pay of jurors	524
Macon County, Jury Commission created; duties.....	36
Mecklenburg County:	
Clerk of Superior Court, schedule of fees and commissions	488
Grand jury, selection and term of.....	10
Montgomery County, Deputy Clerk of Superior Court, salary of	353
Northampton County, Clerk of Superior Court, salary of; clerical assistance provided.....	6
Onslow County:	
Clerk of Superior Court, clerical assistance provided	466
Grand Jurors, selection and terms of.....	390
Orange County, Clerk of Superior Court, appointment of deputy; salary	232
Stokes County:	
Closed bank dividends, payment to Clerk of Superior Court where address of depositor unknown.....	493

	PAGE
Courts—Continued—	
Fagg, A. J., former Clerk of Superior Court, time extended for bringing actions on bond of.....	457
Surry County:	
Closed bank dividends, payment to Clerk of Superior Court where address of depositor unknown.....	493
Lewellyn, Fred, acts of as Assistant Clerk of Superior Court, validated	558
Lewellyn, John G., acts of as Deputy Clerk of Superior Court, validated.....	558
Union County, Clerk of Superior Court, salary of; clerical assistance provided	404
Wake County, Clerk of Superior Court, salary of assistant....	273
Warren County:	
Clerk of Superior Court required to collect state process tax as advance court cost.....	262
Grand Jurors, selection and terms of.....	119
Solicitor of Recorder's Court made Assistant Solicitor of Superior Court; salary.....	571
Wilson County:	
Grand Jurors, selection and terms of.....	182
Tax foreclosure suits, fees of Clerk of Superior Court....	411
Craigsmiles, J. B., Marriages performed by as Justice of the Peace, Mitchell County, validated.....	328
Craven County:	
Central Board of Assessors, creation of authorized; powers, compensation	500
Quadrennial assessment, Commissioners authorized to defer.....	500
Tax sales and certificates validated.....	51
Crimes and Punishments:	
Alamance County, Killing fish in certain streams with explosives, prohibited	404
Alexander County, Sale of alcoholic beverages near churches in Hiddenite prohibited	124
Anson County, Alcoholic beverages, sale of within mile of Peachland, prohibited	395
Plumbing and heating, violation of law regulating, made misdemeanor	403
Asheville, Violation of law regulating importation of swine made misdemeanor	251
Atlantic, Sale of intoxicating beverages prohibited.....	581
Sale of merchandise on Sunday during certain hours prohibited	375
Autryville, Sale of intoxicating liquor within mile of, prohibited	508
Beaufort County, Violation of law regulating use of long haul or drag nets in certain streams made misdemeanor.....	248
Black Mountain, Sale of intoxicating beverages prohibited.....	367
Bladen County, Public drunkenness made misdemeanor.....	178
Carvers Creek Cemetery, trespassing made misdemeanor.....	614

	PAGE
Crimes and Punishments—Continued—	
Brunswick County, Hunting with automatic shotgun capable of holding over three shells prohibited.....	415
Buncombe County, Collection of certain fees by special deputy sheriff prohibited.....	250
Fireworks prohibited	64
Intoxicating beverages, sale of prohibited within mile of Swannanoa	367
Milk Containers, violation of act regulating use of, made misdemeanor	600
Second-Hand Merchandise, violation of law regulating pledging, purchase and sale of, made misdemeanor.....	166
Swine, violation of law regulating importation of, made misdemeanor	251
Caldwell County, Violation of law library regulations made misdemeanor	226
Carteret County, Intoxicating beverages prohibited in Atlantic.....	581
Violation of quarantine orders, made misdemeanor.....	369
Caswell County, Prohibition laws amended and repealed.....	49, 50
Catawba County, Law Library, violation of regulations relating to, made misdemeanor.....	113
Quail hunting with automatic shotgun prohibited; exception	272
Charlotte, Violation of law relating to boxing and wrestling made misdemeanor	169
Chatham County, Acts tending to pollute water of Rocky River prohibited	222
Fishing in certain waters prohibited.....	223
Cherokee County, Moving picture theatres, operation of on Sunday, legalized during certain hours.....	164
Pool and billiard rooms, violation of law regulating, made misdemeanor	132
Sunday baseball prohibited except during certain hours	163
Clay County, Violation of law regulating pool and billiard rooms made misdemeanor	132
Columbus County, Junk yards prohibited near residences in municipalities	598
Cullowhee, Sale of beer, wine, etc. within mile of Western Carolina Teachers' College prohibited.....	455
Cumberland County, Sale of gasoline, etc. to intoxicated persons, prohibited	180
Violation by J. P. of regulatory act made misdemeanor.....	497
Davie County, Hunting while snow on ground prohibited	238
Durham (City), Violation of regulations for fishing in City lake made misdemeanor	263
Durham County, Violation of act regulating use of milk containers, made misdemeanor	600
Edgecombe County, Violation of act regulating use of milk containers, made misdemeanor	600

	PAGE
Crimes and Punishments—Continued—	
Forsyth County, Fireworks prohibited.....	128
Sale of intoxicating liquor near Love's M. E. Church, Middle- fork Township, prohibited.....	574
Guilford County, violation of law regulating tourist camps, road houses, etc. made misdemeanor.....	123
Halifax County, Purchase, sale or use of milk bottles of another in certain cases, prohibited.....	156
Harnett County, Alcoholic beverages, manufacture and sale of, near certain churches, prohibited.....	104
Act amended	511
Plumbing and heating, violation of law regulating, made misdemeanor	180
Haywood County, Fireworks prohibited.....	102
Hertford County, violation of Peace Officers' Relief Act made misdemeanor	620
High Point, Boxing and wrestling, violation of law relating to, made misdemeanor	108
Civil Service Act, violation of.....	145, 147
Hyde County, Intoxicating beverages, sale of on Ocracoke Island, prohibited	521
Violation of law regulating purchases of poultry for resale, made misdemeanor	382
Jackson County, Alcoholic beverages, sale of near Glenville High School prohibited	589
Beer, wine, etc., sale of within mile of Western Carolina Teachers' College, prohibited.....	455
Fireworks prohibited	129
Law making unauthorized fishing on lands of another mis- demeanor, extended to certain townships.....	192
Johnston County, Beer and wine, sale of on Sunday, prohibited Violation of law regulating Sunday sales of merchandise made misdemeanor	387
Jones County, Violation of quarantine orders, in case of outbreak of cholera, made misdemeanor.....	369
Lincoln County, selling merchandise within quarter of mile of Tucker's Grove Camp Ground without license, made mis- demeanor	423
Little Switzerland, Alcoholic beverages prohibited within two miles of Church of the Resurrection.....	507
McDowell County, Alcoholic beverages prohibited within two miles of Church of the Resurrection, Little Switzerland.....	507
Macon County, Jailer's fees, violation of law relating to, made misdemeanor	27
Unlawful fishing in certain streams made misdemeanor.....	527
Mitchell County, Alcoholic beverages prohibited within two miles of Church of the Resurrection, Little Switzerland.....	507
Beer and wine, sale of prohibited.....	366

Crimes and Punishments—Continued—

Monroe, Dance halls, pool rooms, etc. sale of alcoholic beverages near Municipal Park prohibited.....	57
New Hanover County, Violation of rules, ordinances, etc. relating to Greenfield Park and Playground made misdemeanor.....	235
Northampton County, Milk bottles of another, purchase, sale or use of, prohibited in certain cases.....	156
Violation of act relating to duties and salaries of public officers, made misdemeanor.....	7
Ocracoke Island, Sale of intoxicating beverages prohibited.....	521
Peachland, Sale of alcoholic beverages within mile of railway depot prohibited	395
Pender County, Fireworks prohibited.....	414
Perquimans River, Violation of law regulating use of fish nets and stakes, made misdemeanor.....	587
Pitt County, Weighing cotton for sale in Farmville Township by person other than public weigher made misdemeanor.....	292
Richmond County, Operation and showing of travelling carnivals, etc. prohibited	221
Rowan County, Violation of regulations of Agricultural, Breeders' and Racing Commission, made misdemeanor.....	380
Sampson County, Intoxicating liquor sale of within mile of Autryville, prohibited	508
Intoxicating liquor, sale of in certain locality in Franklin Township, prohibited	509
Pool rooms, dance halls and sale of alcoholic beverages prohibited within three miles of Salemburg.....	48
Scotland County, Alcoholic beverages within mile of Wagram, prohibited	204
Siler City, Violation of law for protection of city water supply from pollution, made misdemeanor.....	222
Stanly County, Fireworks prohibited.....	446
Fox hunting, violation of law regulating, made misdemeanor.....	238
Swannanoa, Sale of intoxicating beverages within mile of railway station, prohibited	367
Tucker's Grove Camp Ground, Lincoln County, selling, merchandise in or near, without license.....	423
Tyrrell County, Sale of intoxicating liquor near Sound Side Free-will Baptist Church, prohibited	567
Union County, Sale of alcoholic beverages near certain church, prohibited	191
Wagram, Alcoholic beverages prohibited within mile of corporate limits	204
Wake County, Violation of act regulating use of milk containers, made misdemeanor	600
Warren County, Fox hunting; violation of law regulating, made misdemeanor	541
Willful obstruction of public officer made misdemeanor.....	569

Crimes and Punishments—Continued—

Warrensville, Violation of ordinance prohibiting sale of alcoholic beverages made misdemeanor	580
Watauga County, Violation of law regulating justices of the peace made misdemeanor	252
Wayne County, Violation of law regulating fox hunting, made misdemeanor	301
Western Carolina Teachers' College, Jackson County, Sale of beer, wine, etc. within mile, of, prohibited	455
Wilkes County, Coal and coke, violation of law regulating sale of, made misdemeanor	581
Intoxicating liquors, sale of near certain churches, prohibited	179
Wilson County, Milk containers, violation of act regulating use of, made misdemeanor	600
Showing or advertising carnival or circus within ten days prior to or during County Fair, prohibited	358
Yadkin County, Fireworks prohibited	299
Violation of law regulating purchase of poultry for resale, made misdemeanor	382
Yancey County, Sale of intoxicants prohibited	542
Cullowhee:	
Wine, beer, etc., sale prohibited within mile of Western Carolina Teachers' College	455
Cumberland County:	
Black River Township Road District, assumption of bonded indebtedness of, by County	114
Court costs, Law requiring County to pay full costs in certain cases re-enacted	188
Fayetteville Public Works Commission, extension of power lines and sale of electricity by	522
Gasoline, etc., sale to intoxicated persons prohibited	180
Justices of the Peace, regulation of practices and fees in certain cases	497
Currituck County:	
Recorder's Court, appointment of assistant trial justice	92
Summerell, J. A., acts of as assistant trial justice, Recorder's Court, validated	92
Cuthrell, Nettie , Certain acknowledgments and probates as Notary Public, Halifax County, validated	402

D**Dance Halls:**

Guilford County, Regulation of	123
Sampson County, Dance halls prohibited within three miles of Salemburg	48
Union County, Dance Halls prohibited within half mile of Monroe Municipal Park	57
Daniels, H. E. , Contract with Avery County, validated	300

Dare County:

Roanoke Island Fire District created; tax levy authorized; fire protection provided for.....	231
--	-----

Davidson County:

Bond issue for new county building authorized, subject to referendum	401
Liquor store profits, division with municipalities.....	424
Tax Collector, appointment of; powers, duties, compensation, etc.	448

Davie County:

Fork Creek Baptist Church, reconveyance of property to, by Board of Education	644
Hunting of game while snow on ground prohibited.....	238
Sheriff, Salary of.....	182
Tax Collector, appointment of; powers, duty, salary.....	181

Deeds and Conveyances:

Buncombe County, Board of Education authorized to convey certain lands to American Enka Corporation.....	611
Davie County, Board of Education authorized to convey certain property to Trustees of Fork Baptist Church.....	644
Greensboro, authorized to release interest in certain lands.....	16
Pantego, Execution of deed to certain town property, authorized	592
Sylva, Officials authorized to execute deed to lands donated to U. S. Forest Service.....	457
Tarboro, lease and conveyance of property for library building..	131
Wilson Township Sinking Fund Commission, authorized to convey or mortgage property.....	306

Depositories—See Banks and Banking

Distilleries—See Prohibition Laws

Dobson:

Tax adjustments authorized; extension of time for tax sales and foreclosures	152
--	-----

Dogs:

Avery County, payment of damages by dogs.....	151
Beaufort County, Vaccination of dogs against rabies.....	156
Rowan County, Dog racing; Act creating Agricultural, Breeders' and Racing Commission.....	377

Drainage Districts:

Charlotte, Creation of district within city authorized.....	360
Iredell and Rowan Counties, Third Creek Drainage District created; appointment and powers of commissioners; assessments	554
Iredell-Rowan County Drainage District, appointment of commissioners; acts of commissioners validated.....	466
Pasquotank County, Pasquotank Drainage District, No. 1, Time for tax foreclosure actions extended.....	27
Rowan and Iredell Counties, Third Creek Drainage District created; appointment and powers of commissioners; assessments	554
Rowan County, Second Creek Drainage District created; appointment and powers of commissioners; assessments.....	556

	PAGE
Drunken Drivers:	
Cumberland County, Sale of gasoline, etc. to intoxicated persons prohibited	180
Drunkenness—See Crimes and Punishment	
Dunn:	
Management of cemetery; title to properties transferred to Town Commissioners	86
Duplin County:	
Agricultural liens, standard form.....	583
Chattel mortgage, standard form.....	513
Clerk of Superior Court required to pay Solicitor's fees of General County Court to County Treasurer.....	49
County Commissioners, election on question of increasing number	176
Depositories for public funds, designation of.....	38
Hogs, vaccination of against cholera authorized.....	543
Penalties and interest on taxes collected payable to County Treasurer	103
Durham, City of:	
Board of Building Appeals created; powers.....	409
City Lake Fishing Commission, appointment; powers.....	262
Durham Peace Officers' Protective Association, law relating to amended	469
Fees taxed in certain cases, County Recorder's Court, for use of	589
Land Subdivisions, copies of plats filed with County Register, delivered to City Manager.....	463
Liquor store profits, division between City and Durham County	427
Durham County:	
Constables, payment of fees to for making arrests in certain cases	411
Durham Peace Officers' Protective Association, law relating to amended	469
Liquor store profits, division with City of Durham.....	427
Milk containers, wrongful use of prohibited.....	600
Plats of land subdivisions in City of Durham required to be filed in duplicate with Register.....	463
Recorder's Court, fee taxed in certain cases for Peace Officers' Protective Association	589
Durham Peace Officers' Protective Association:	
Costs collected in certain cases in Durham County Recorder's Court, for use of.....	589
Law relating to, amended.....	469
E	
Edgecombe County:	
Board of County Commissioners, compensation of.....	110
Board of Education, compensation of	213
Milk containers, wrongful use of prohibited.....	600
Edwards, Isaac H., compensation for injuries to daughter.....	626
Edwards, Joe, compensation for death of daughter.....	635

	PAGE
Elections and Election Laws:	
Andrews, Election of town aldermen and Mayor.....	212
Asheville, Election Board named; Registration of voters.....	130
Atlantic Beach, Recommendation and appointment of town of- ficials	397
Bertie County, Nomination and election of members of Board of Education	208
Bridgeton, Regulations for primaries and elections.....	173
Buncombe County, School building bond issue elections authorized	267
School supplement elections authorized.....	200
Burke County, Board of Education, nomination and election of....	394
Township road bonds, referendum on question of assumption of	135
(Law repealed and re-enacted, page 331)	
Valdese School District, Special school tax election authorized	518
Burnsville, Election of mayor and commissioners.....	325
Canton, Municipal elections, new registrations for, not required	179
Prosecuting attorney for police court, election of.....	587
Canton Graded School District, Election of Trustees.....	170
Caswell County, Bond elections in Sanitary Districts validated....	51
Election of recorder and solicitor, Recorder's Court.....	105
Chowan County, Nomination and election of County Commis- sioners	392
Cleveland County, Regulation of voting in primaries; new regis- tration ordered	405
Shelby School District bond election validated.....	211
Columbus County, County Home bonds, election on question of issuance of, authorized.....	42
(Law amended, page 570)	
County Home bond issue election validated.....	570
Davidson County, Referendum on question of bond issue for new county building	401
Duplin County, Election on question of increasing number of county Commissioners	176
Franklin County, Election of County Accountant.....	523
Garner, Election on question of extension of corporate limits, authorized	576
Gaston County, Election on question of local school supplement and tax levy, authorized.....	601
Greenville, Election of mayor and aldermen.....	284
Halifax County, Liquor stores, elections on question of continu- ance of, authorized	510
Register of Deeds, vote at primary to increase term to four years, validated	161
Haywood County, Election of County Commissioners.....	121
Tax Supervisor, nomination and election of.....	357
Johnston County, Election of Judge and Solicitor of Recorder's Court for four-year terms.....	599

Elections and Election Laws—Continued—

PAGE

Election of Register of Deeds, Auditor and Treasurer for four-year terms	303
Martin County, Nomination of candidates for Board of Commissioners	38
Maxton, Referendum on question of bond issue for construction of building	459
Monroe, Referendum on question of tax levy for parks and recreational centers	68
Morganton, Election of Trustees of Graded School.....	559
Mount Airy, Election of town commissioners.....	386
New Hanover County, Board of Elections, Compensation of members	597
Election on question of tax levy for development and maintenance of Greenfield Park and Playground.....	234
Precinct officers, pay of.....	543
Northampton County, Board of Education, nomination and election of members of.....	106
County Commissioners, nomination and election of.....	88
Onslow County, Nomination and election of County Commissioners and Board of Education.....	133
Oxford, Election of town officials for four years.....	438
Pender County, Auditor, election of.....	88
Tax Collector, election of.....	109
Person County, Roxboro, directed to pay part of expense of liquor control election	402
Pitt County, School district bonds, election on question of issuance of	362
Treasurer, election of for four-year term.....	175
Raleigh, Referendum provided for on question of election of city officials for four-year terms.....	531
Randolph County, Pay of precinct officers.....	543
Roanoke Rapids, Election of mayor and commissioners.....	62, 63
Rowan County, Agricultural, Breeders' and Racing Commission, election on question of creation of authorized.....	380
Local school supplement tax levy, election on question of, authorized	601
Township officers, election of.....	200
Shelby School District, bond election validated.....	211
Southern Pines School District, Special election on question of bond issue for school buildings authorized.....	484
Spencer, Election of prosecuting attorney of Mayor and Records Court	496
Statesville, Mayor, election of.....	646
Tabor City, Election of mayor and commissioners.....	314
Valdese School District, Special school tax election authorized.....	518
Vance County, Election of Register of Deeds for four years.....	215
Wake County, Law authorizing school supplement elections made applicable to	573

	PAGE
Elections and Election Laws—Continued—	
Wake Forest, Election of Recorder's Court officials.....	516
Warren County, Nomination and election of members of Board of Education and County Commissioners.....	316
Wilson County, Nomination and election of County Commissioners.....	178
Yadkin County, Election of Register of Deeds.....	599
Electricity:	
Bostic, Town authorized to furnish power and light for town and citizens	196
Fayetteville Public Works Commission, Extension of power lines and sale of electricity, authorized.....	522
Elizabeth City:	
City Council, salary of chairman and members.....	341
Municipal Health Officer, salary of.....	338
Public Utilities Commission, salary of chairman.....	341
Sale of family groceries at sea food markets.....	646
Sale price of market house reduced.....	650
Tax levy authorized for expenses of fire department.....	335
Elkin:	
Bonds acceptable in payment of taxes	83
(Law repealed and re-enacted, page 174)	
Ellerbe:	
Bonds acceptable in payment of delinquent taxes.....	515
Eminent Domain:	
Charlotte, charter amended as to condemned property.....	33
Hickory, condemnation of land for widening streets or sidewalks authorized	363
Enfield, Town of, compensation of Town Commissioners.....	632
Evangelical and Reformed Church, Hickory, properties of Claremont College transferred to.....	631
F	
Fagg, A. J., Stokes County, Ex-C. S. C., Time for bringing actions on Bond of, extended	457
Fairs:	
Richmond County, carnivals, etc. prohibited	221
Scotland County, operation of County Fairs in accord with general statutes lawful	427
Wilson County, showing or advertising carnival or circus within ten days prior to or during County Fair prohibited.....	358
Farm Demonstration Agents:	
Duties with respect to sale and administration of hog cholera virus:	
Camden County	551
Carteret County	369
Jones County	369
Pender County	374
Perquimans County	565

	PAGE
Farm Tenancies:	
Rowan County, Act fixing term of, repealed.....	101
Term of, Anson, Bladen and Brunswick Counties.....	563
Fayetteville:	
Public Works Commission, extension of power lines and sale of electricity authorized	522
Fees—See Salaries and Fees	
Fieldsboro, Railroad Station, name changed to Walstonburg.....	210
Filling Stations:	
Cumberland County, Sale of gasoline, etc. to intoxicated persons prohibited	180
Finger Print Expert:	
Henderson County, Employment of; compensation.....	447
Firearms, Registration of, in Alamance County.....	61
Fire Departments:	
Elizabeth City, tax levy for expenses of fire department.....	335
Manteo Fire Department to serve Roanoke Island Fire District.....	231
Fireman's Pension Fund, Wilmington, Board of Trustees named, etc. 626 (Act amended, page 625)	
Fireworks:	
Buncombe County, prohibited in.....	64
Forsyth County, prohibited in.....	128
Haywood County, prohibited in.....	102
Jackson County, prohibited in.....	129
Pender County, prohibited in.....	414
Stanly County, prohibited in.....	446
Yadkin County, prohibited in.....	299
Fiscal Agents—See under Particular County	
Fish and Fishing—See Game Laws	
Fisher, Roy Edward, compensation for loss of limb.....	617
Flying Clubs, Richmond Flying Club of Rockingham, created.....	610
Forest City:	
Church property relieved of paving assessments.....	94
Filing of tort claims against town regulated; limitation of actions.....	93
Fork Baptist Church, Davie County, Board of Education authorized to convey certain property to Trustees of.....	644
Forsyth County:	
Alcoholic beverages, sale near Love's M. E. Church, Middlefork Township, prohibited.....	574
Appeals from County Court to Superior Court, regulation of.....	310
Central Board of Assessors created.....	111
Clerk of Superior Court and Clerk of County Court, fees of.....	345
Fireworks prohibited	128
Grand Jury, selection and terms.....	199
Official Court Reporter and Assistant, appointment of; duties and compensation	479
Public Guardian, payment to of small sums due minors, etc.....	504
Sheriff, Register of Deeds and Clerk of Superior Court, salaries of	198

	PAGE
Fowler, T. A., compensation for loss of personal property	647
Fox Hunting —See Game Laws	
Foxes —See Game Laws	
Franklin County:	
Clark, M. K., official acts as Justice of the Peace validated.....	428
Clerk of Superior Court and Deputy, salary of; provision limit- ing clerical help repealed.....	249
County Accountant, election of; salary.....	523
Deputy Sheriff, appointment of; salary.....	244
Law Library, provision for establishment and maintenance of.....	183
Register of Deeds, salary of Deputy.....	244
School districts, creation of; issuance of bonds.....	564
G	
Game Laws:	
Alamance County, Fishing in certain streams regulated.....	404
Alexander County, Quail, killing with automatic shotgun regu- lated.....	227
Beaufort County, Fishing, regulation of use of long haul or drag nets in certain rivers.....	248
Brunswick County, Hunting with automatic shotgun capable of holding over three shells prohibited.....	415
Caswell County, Fox hunting, open season for.....	382
Catawba County, Quail hunting with automatic shotgun regulated Uniform State fishing regulations applicable to waters of County.....	272
Chatham County, Fishing in certain waters prohibited.....	222
Davie County, Hunting while snow on ground prohibited.....	238
Durham, City of, Fishing in City Lake, regulation of.....	262
Jackson County, Trout streams, Act for protection of, amended.....	192
Macon County, Bounty on scalps of coyotes, wild cats, crows, etc. Unlawful fishing in certain streams made misdemeanor.....	272
Perquimans River, fish nets and stakes, regulation of use.....	527
Stanly County, Fox hunting, regulation of.....	587
Warren County, Fox hunting, regulation of.....	238
Wayne County, Fox hunting, regulation of.....	541
Garner:	
Corporate limits, election on question of extending.....	301
Garysburg:	
Delinquent tax sales, postponement validated; advertisement and sale authorized.....	576
Gaston County:	
Farm lands, Commissioners authorized to contract with farmers and others for terracing of.....	413
Interest on tax sales certificates reduced; settlement of tax sales certificates and tax foreclosure judgments.....	460
Local school supplement, elections on question of tax levy au- thorized.....	189
	601

	PAGE
Gates County:	
County Commissioners, compensation of.....	300
School districts, creation of; issuance of bonds.....	593
General County Courts—See Courts	
Gilmer, Emerson, compensation for personal injuries.....	653
Glen Alpine School Administrative Unit, Act authorizing payment to of certain sums by County Commissioners, Burke County.....	53
Goldsboro:	
Goldsboro Graded Schools, acts of persons purporting to act as Trustees validated	437
Goldsboro Graded Schools, Trustees named; powers, etc.....	436
Willow Dale Cemetery Funds, investment in bonds of.....	607
Golf Courses:	
Brevard, operation and regulation of golf course.....	295
Transylvania County authorized to remit taxes on.....	633
Graded School Districts—See Schools and School Districts	
Graham County:	
Automobile for use of county, law relating to purchase of, re- pealed	536
Griffith, P. R., duty to continue collection of certain taxes.....	33
Sheriff, additional salary of.....	33
Tax collections, duty of outgoing Sheriff in connection with.....	32
Grand Jurors:	
Alamance County, selection and terms	530
Bertie County, selection and terms.....	168
Burke County, selection and terms.....	448
Forsyth County, selection and terms.....	199
Halifax County, selection and terms.....	302
Harnett County:	
Fees of	78
Selection and terms.....	54
Mecklenburg County, selection and terms	10
Onslow County, selection and terms.....	390
Warren County, selection and terms.....	119
Wayne County, selection and terms.....	1
Wilson County, selection and terms.....	182
Grand Lodge of Knights of Pythias, charter amended.....	656
Granville County:	
Clerk of Superior Court, schedule of fees.....	544
Delinquent taxes, act relating to collection of.....	536
Fees for seizure of stills, payment in discretion of County Com- missioners	412
Liquor store profits, division with municipalities.....	356
Recorder's Court, fees of recorder and prosecuting attorney taxed as costs	590
Register of Deeds, salary of additional deputy.....	214
Sheriff and Clerk of Superior Court, Commissioners authorized to fix bonds of.....	439
Tax sales and certificates validated.....	438

	PAGE
Grave Yards—See Cemeteries	
Greene County:	
Constables, law relating to jurisdiction of, repealed.....	576
Courthouse bonds, proceedings for authorization and sale of, validated	534
Criminal Court Calendar, Act providing for.....	202
Law enforcement officers, placed under supervision of Sheriff.....	591
Tax sales and certificates validated; time for foreclosures extended	151
Greenfield Lake and Park, Development and maintenance by New Hanover County proposed	234
Greensboro:	
City School Administrative Unit, expenditure of surplus bond issue funds	29
Country Club Development, release of interest in lands	16
Local improvement assessments, extension of time for payment	219
Greenville:	
Civil Service System for police and fire departments established	417
Corporate limits redefined	455
Fire and Police Pension and Relief fund, created; trustees named, etc.	641
Mayor and Aldermen, election of.....	284
Griffith, P. R., Graham County, duty to continue collection of certain taxes	33
Guardians:	
Forsyth County, Public Guardian, payment to of small sums due minors, etc.	504
Guilford County:	
Archdale-Trinity Sanitary District, Establishment; boundaries, appointment of commissioners.....	318
Bond sales, Greensboro and High Point City School Administrative Units, use of surplus funds.....	29
Liquor Store Profits, division with municipalities.....	391
Old Red Hill Colored School property, sale of authorized	106
School playground, purchase of land for.....	29
Sheriff directed to cooperate with Board of Alcoholic Control in liquor law enforcement.....	391
Tourist Camps, dance halls, etc., regulation of.....	122
Welfare Department, special tax levy authorized for operation of	167
Gymnasium, Rocky Mount, provision for municipal gymnasium.....	8

H

Halifax County:

Board of Education, membership increased; appointment of members	191
Cuthrell, Nettie, Notary Public, certain probates and acknowledgments validated	402
Grand Jurors, selection and terms.....	302

	PAGE
Halifax County—Continued—	
Liquor stores, election on question of continuing.....	510
Milk bottles, purchase, sale or use of bottles of another prohibited in certain cases.....	156
Register of Deeds:	
Fees for recording certain papers increased.....	241
Term enlarged to four years; vote on question validated.....	160
Hamilton Lakes:	
Acceptance of town bonds, etc. for back taxes authorized.....	288
Hamlet:	
Liquor store profits, division of between town and Richmond County	393
S. A. L. Railway Company, Town authorized to sell certain pro- perty to	288
Harnett County:	
Assessment and equalization of property valuations for taxation; appointment of experts to assist in; compensation	443
Beer and wine, manufacture and sale near certain churches pro- hibited	104
(Law amended, page 511)	
Grand Jury, selection and term of	54
Jurors, fees of.....	78
Liquor store profits, division with municipalities.....	564
Plumbing and heating business, operation without State license prohibited	180
Tax foreclosures, time for bringing actions extended.....	413
Hartley, Clarence, compensation for death of daughter.....	650
Haywood County:	
County Commissioners, election and compensation.....	121
County Hospital, number of trustees; minority party representa- tion	328
Fireworks prohibited	102
Liquor Stores, special provision for establishment of, Beaver Dam and Waynesville Townships	552
Probate of certain instruments by Assistant Clerk of Superior Court validated	219
Register of Deeds' Office, Act relating to re-indexing of records	426
Sheriff, salary of.....	247
Tax Supervisor, audit of records; nomination and election of; salary, etc.	357
Waynesville Township, office of deputy township constable abolished	202
Health and Health Officers—See under Particular County	
Heating—See Plumbing and Heating	
Hedgepeth, Elmer L., Sr., compensation for death of son.....	621
Hemp:	
Special Taxing District, payment of salary of high school teacher from funds of.....	116

	PAGE
Henderson County:	
Court Cryer, appointment of as full time officer; compensation	447
Defective acknowledgments of certain instruments validated.....	281
Delinquent taxes, adjustment of; employment of collector.....	96
Finger print expert, employment of; compensation	447
Liquor store profits, division with Town of Hendersonville.....	557
Hendersonville:	
Board of Water Commissioners, appointment of member.....	220
Liquor store profits, division between City and Henderson County	557
Outstanding indebtedness validated.....	494
Tax foreclosures, sale of property acquired under.....	275
Taxes and assessments, payment of with town bonds.....	273
Hertford County:	
Peace Officers' Protective Association created; relief fund provided for	618
Redemption of property sold for taxes, County exempt from law relating to	223
Hertford, Town of:	
Mayor, salary of.....	291
Hickory:	
Catawba County Law Library, branch of library established at Hickory	113
Claremont Female College, charter repealed.....	631
Map of Hickory drawn by H. W. Robinson, registration of.....	607
Municipal Court and police officers, territorial jurisdiction extended	543
Union Square, widening of streets and sidewalks authorized.....	363
Hiddenite:	
Alcoholic beverages, sale within mile of certain churches prohibited	124
High Point:	
Boxing and wrestling legalized; appointment of regulatory commission	108
City School Administrative Unit:	
Expenditure of surplus bond issue funds.....	29
Temporary school superintendent, Act relating to appointment of	187
Civil Service Commission created; operation of civil service system	140
(Law amended, page 373)	
Municipal Court:	
Civil cases, provision of law for remanding certain cases to Superior Court for trial, repealed.....	311
Judge, Prosecuting Attorney, Clerk and Assistant Clerk, salaries of	311
Revenue bonds authorized.....	60
(Law amended, page 528)	

	PAGE
Hogs:	
Asheville, regulation of importation of hogs.....	251
Buncombe County, Regulation of importation of hogs.....	251
Camden County, sale and use of hog cholera virus.....	551
Carteret County, Administration of hog cholera serum; quaran- tine upon outbreak of cholera.....	469
Duplin County, Vaccination of hogs against cholera authorized.....	543
Jones County, Administration of hog cholera serum; quarantine upon outbreak of cholera.....	369
Pender County, Sale and use of hog cholera virus; regulation.....	374
Perquimans County, Sale and use of hog cholera virus authorized.....	565
Sampson County, Vaccination of hogs against cholera authorized.....	543
Hoke County:	
Federal crop liens and chattel mortgages, fees for recording.....	52
Lewis, Knox M., authorized to practice as veterinarian.....	621
Recorder's Court, regulations concerning jury trials; costs; trans- fer of cases to Superior Court.....	377
Horses:	
Rowan County, Agricultural, Breeders' and Racing Commission, creation proposed.....	377
Hospitals:	
Community Hospital of Wilmington, Appropriations to by New Hanover County and Wilmington authorized.....	440
Haywood County Hospital, number of trustees; minority party representation.....	328
James Walker Memorial Hospital, Annual appropriations to, by New Hanover County and Wilmington authorized.....	10
Hubbard, S. A., substituted as Trustee in Deeds of Trust for Central Bank and Trust Company, Asheville.....	609
Hughes, Charlie, compensation for death of daughter.....	622
Hyde County:	
Clerk of Superior Court, duties and compensation.....	139
County Officials, audit of books required.....	153
Foreclosure of tax liens and payment of delinquent taxes, ex- tension of time for.....	283
Intoxicating beverages, sale on Ocracoke Island prohibited.....	521
Poultry, purchase for resale regulated.....	382
Register of Deeds, preparation of tax books by.....	166
(Law amended, page 376)	
Sheriff, commissions for collection of taxes.....	227
I	
Identification:	
Henderson County, Employment of finger print expert.....	447
New Hanover County, Identification expert allowed an assistant.....	107
Wake County, Bureau of Identification created; employment of experts authorized.....	502
Indexing of Records, Haywood County, Law relating to.....	426

	PAGE
Industrial Development:	
Maxton, Construction and lease of building as inducement to industry authorized	458
Wilson, Town of, acquisition or construction of property for promotion of industrial enterprise; bonds authorized.....	474
Insane Persons:—See Minors and Incompetents	
Interest and Penalties:—See Taxes and Taxation	
Iredell County:	
Iredell-Rowan County Drainage District, appointment of Commissioners; acts of commissioners validated.....	466
Liquor Store Profits, division with municipalities.....	468
Recorder's Court, costs and witness fees.....	307
Third Creek Drainage District created; appointment and powers of commissioners; assessments.....	554
Treasurer, office of, abolished.....	454
Treasurer-Tax Collector, office created; powers, duties, and regulations	452
J	
Jackson County:	
Beer, wine, etc., sale near Western Carolina Teachers' College at Cullowhee prohibited	455
Fireworks prohibited	129
Intoxicating beverages, sale near Glenville High School prohibited ..	589
Log Cabin Association, lands exempt from taxation.....	605
Special tax levy for holding courts.....	155
Trout streams, Act for protection of, amended.....	192
Jails:	
Alamance County, appointment of keeper; jail regulations.....	498
Macon County, Fees of jailer.....	27
Pitt County, appointment of jailer; powers and duties; jail regulations	483
Surry County; employment of jailer; jail regulations.....	297
Wilson County, Rights and powers of Sheriff with respect to jail	550
Johnston County:	
Auditor, Register of Deeds and Treasurer, Four year terms.....	303
Beer and wines, Sunday sales prohibited.....	387
Merchandise, etc. Sunday sales regulated.....	387
Recorder's Court, Four year terms for Judge and Solicitor.....	599
Rose, H. V., C. S. C., relieved of personal liability for stolen public funds	639
Selma, Jurisdiction of Mayor and Police, extended.....	265
Jones County:	
Clerk of Superior Court, Schedule of fees.....	429
Hog Cholera Serum and Virus, Commissioners authorized to employ person to administer; Quarantine regulations.....	369

	PAGE
Joyner, J. B., compensation for loss of personal property.....	647
Junk Yards:	
Columbus County, Prohibited near residences in municipalities.....	598
Jurors and Juries:	
Alamance County, Selection and terms, etc, Grand Jurors.....	530
Bertie County, Selection and term of Grand Jurors.....	168
Buncombe County, Jury fees.....	55
Burke County, Selection and term, etc., Grand Jurors.....	448
Selection of Petit Jurors.....	448
Cherokee County, Jury Commission, Appointment of members.....	221
Forsyth County, Selection and term etc. Grand Jurors.....	199
Halifax County, Selection and term of Grand Jurors.....	302
Harnett County, Selection and term of Grand Jury.....	54
Jury Fees	78
Hoke County, Recorder's Court, regulations as to jury trials.....	377
McDowell County, Jury Fees.....	525
Macon County, Jury Commission created.....	36
Mecklenburg County, Selection and term of Grand Jurors.....	10
Onslow County, Selection and terms of Grand Jurors.....	390
Robeson County, Jury Trials in Recorder's Courts.....	190
Union County, Jury Trials abolished in Recorders Courts.....	286
Wake County:	
Wake Forest Recorder's Court, Selection of Jurors; Fees.....	517
Warren County, Selection and term of Grand Jurors.....	119
Wayne County, Selection and term of Grand Jurors.....	1
Wilson County, Selection and term of Grand Jurors.....	182
Justices of the Peace:	
Cumberland County, Criminal Warrants issued by in certain cases made returnable to Recorder's Court.....	497
Franklin County, official Acts of M. K. Clark, J. P., validated.....	428
Mitchell County, Marriages performed by J. B. Craigmiles, J. P. validated	328
Rockingham County, J. P. Fees, law regulating repealed.....	522
Surry County, Probates and Acknowledgments before W. C. Moody, J. P. validated.....	523
Schedule of Fees, for Justices of the Peace.....	440
Transylvania County, Acts of T. C. McCall, J. P., validated.....	344
Wake County, New Light and Wake Forest Townships, appeals from Justices of the Peace to Recorder's Court, Wake Forest	517
Watauga County, Jurisdiction limited to township of appointment	252
K	
King, Felix, compensation for death of son.....	637
Kinston:	
City Manager, appointment of; powers, duties, etc.....	594
Corporate limits defined.....	593
Klumac Cotton Mills, Incorporated, Rowan County and Salisbury au- thorized to adjust taxes assessed against.....	634
Knights of Pythias, Grand Lodge of, charter amended.....	656

L

La Grange:

Tax sales validated; time for advertising and selling land for delinquent taxes	338
---	-----

Land Plats:

Catawba County, registration of H. W. Robinson map of Hickory	607
Durham, City of, and Durham County, plats of land subdivisions in City filed in duplicate with County Register; etc.....	463
Rowan County, Registration of land plats; regulations.....	281

Lake Lure:

Bonds acceptable in payment of delinquent taxes.....	239
Tax valuations, revision of.....	239

Laurel Park:

Delinquent taxes, adjustment of.....	96
--------------------------------------	----

Law Libraries—See Libraries**Laws Amended:**

1885, Private Laws, Chapter 84.....	39
1887, Laws, Chapter 382.....	436
1892, Private Laws, chapter 92.....	610
1893, Private Laws, chapter 274.....	464
1897, Private Laws, chapter 73.....	656
1899, Private Laws, chapter 115.....	455
1899, Private Laws, chapter 262.....	354
1901, Private Laws, chapter 183.....	567, 588
1903, Private Laws, chapter 66.....	512
1905, Private Laws, chapter 40.....	314
1907, Private Laws, chapter 197.....	576
1907, Private Laws, chapter 209.....	8
1907, Private Laws, chapter 230.....	328
1907, Private Laws, chapter 342.....	33
1907, Private Laws, chapter 344.....	312, 633
1907, Private Laws, chapter 497.....	624
1909, Private Laws, chapter 298.....	289
1909, Private Laws, chapter 314.....	131
1911, Private Laws, chapter 243.....	646
1911, Private Laws, chapter 254.....	449
1911, Public Local Laws, chapter 158.....	188, 340
1911, Public Local Laws, chapter 452.....	149
1911, Public Local Laws, chapter 538.....	360
1911, Public Local Laws, chapter 578.....	593
1911, Public Local Laws, chapter 614.....	188, 340
1913, Private Laws, chapter 59.....	531
1913, Private Laws, chapter 60.....	531
1913, Private Laws, chapter 68.....	363
1913, Private Laws, chapter 263.....	196
1913, Private Laws, chapter 302.....	79, 591
1913, Private Laws, chapter 306.....	149
1913, Private Laws, chapter 395.....	151

	PAGE
Laws Amended—Continued—	
1913, Public Local Laws, chapter 20.....	496
1913, Public Local Laws, chapter 613.....	94
1913, Public-Local, chapter 697.....	326
1913, Public-Local, chapter 826.....	360
1913, Extra Session, Private Laws, chapter 51.....	293
1913, Extra Session, Public Local Laws, chapter 134.....	205
1915, Private Laws, chapter 264.....	291
1915, Public Local Laws, chapter 520.....	310
1915, Public Local Laws, chapter 369.....	360
1915, Public Local Laws, chapter 634.....	25, 190
1919, Public Local Laws, chapter 138.....	59
Ex-1921, Private Laws, chapter 16.....	648
1921, Private Laws, chapter 74.....	596
1923, Private Laws, chapter 193.....	632
1923, Public Local Laws, chapter 550.....	478
1925, Private Laws, chapter 2.....	93
1925, Private Laws, chapter 84.....	284
1925, Private Laws, chapter 124.....	648
1925, Private Laws, chapter 160.....	386
1925, Public Local Laws, chapter 18.....	310
1925, Public Local Laws, chapter 81.....	28
1925, Public Local Laws, chapter 141.....	84
1925, Public Local Laws, chapter 155.....	233
1927, Public Local Laws, chapter 348.....	311
1927, Public Local Laws, chapter 466.....	50
1927, Public Local Laws, chapter 699.....	311
1929, Private Laws, chapter 170.....	311
1929, Public Local Laws, chapter 40.....	101, 563
1929, Public Local Laws, chapter 52.....	590
1929, Public Local Laws, chapter 220.....	469, 589
1929, Public Local Laws, chapter 275.....	233
1931, Private Laws, chapter 1.....	624
1931, Private Laws, chapter 10.....	607
1931, Private Laws, chapter 104.....	650
1931, Private Laws, chapter 107.....	60, 140
1931, Private Laws, chapter 149.....	114
1931, Public Local Laws, chapter 28.....	32
1931, Public Local Laws, chapter 39.....	58
1931, Public Local Laws, chapter 82.....	313
1931, Public Local Laws, chapter 137.....	401
1931, Public Local Laws, chapter 194.....	502
1931, Public Local Laws, chapter 196.....	118
1931, Public Local Laws, chapter 197.....	305, 516
1931, Public Local Laws, chapter 315.....	563
1931, Public Local Laws, chapter 344.....	544
1931, Public Local Laws, chapter 400.....	323
1933, Private Laws, chapter 67.....	587
1933, Private Laws, chapter 103.....	559

	PAGE
Laws Amended—Continued—	
1933, Private Laws, chapter 109.....	219
1933, Private Laws, chapter 132.....	311
1933, Private Laws, chapter 135.....	293
1933, Private Laws, chapter 149.....	114
1933, Public Local Laws, chapter 5.....	322
1933, Public Local Laws, chapter 31.....	279
1933, Public Local Laws, chapter 34.....	243, 568
1933, Public Local Laws, chapter 42.....	412
1933, Public Local Laws, chapter 73.....	376
1933, Public Local Laws, chapter 119.....	203
1933, Public Local Laws, chapter 225.....	118
1933, Public Local Laws, chapter 232.....	223
1933, Public Local Laws, chapter 241.....	248
1933, Public Local Laws, chapter 254.....	423
1933, Public Local Laws, chapter 286.....	133
1933, Public Local Laws, chapter 314.....	273
1933, Public Local Laws, chapter 325.....	307
1933, Public Local Laws, chapter 398.....	425, 495, 532, 533
1933, Public Local Laws, chapter 499.....	524
1935, Private Laws, chapter 21.....	224
1935, Private Laws, chapter 22.....	638
1935, Private Laws, chapter 30.....	130
1935, Private Laws, chapter 39.....	25
1935, Private Laws, chapter 58.....	173
1935, Private Laws, chapter 99.....	170
1935, Private Laws, chapter 125.....	114
1935, Private Laws, chapter 131.....	179
1935, Private Laws, chapter 197.....	154, 383
1935, Private Laws, chapter 258.....	84, 175
1935, Private Laws, chapter 261.....	646
1935, Public Local Laws, chapter 33.....	229
1935, Public Local Laws, chapter 45.....	327
1935, Public Local Laws, chapter 81.....	320
1935, Public Local Laws, chapter 91.....	243
1935, Public Local Laws, chapter 137.....	249
1935, Public Local Laws, chapter 139.....	244
1935, Public Local Laws, chapter 152.....	122
1935, Public Local Laws, chapter 155.....	457
1935, Public Local Laws, chapter 157.....	61
1935, Public Local Laws, chapter 170.....	107
1935, Public Local Laws, chapter 193.....	590
1935, Public Local Laws, chapter 207.....	416
1935, Public Local Laws, chapter 209.....	178
1935, Public Local Laws, chapter 212.....	550
1935, Public Local Laws, chapter 217.....	155
1935, Public Local Laws, chapter 226.....	357
1935, Public Local Laws, chapter 266.....	192

PAGE

Laws Amended—Continued—

1935, Public Local Laws, chapter 289	290
1935, Public Local Laws, chapter 341	534
1935, Public Local Laws, chapter 372	464
1935, Public Local Laws, chapter 400	38
1935, Public Local Laws, chapter 413	233, 335
1935, Public Local Laws, chapter 423	84
1935, Public Local Laws, chapter 429	541
1935, Public Local Laws, chapter 434	190
1935, Public Local Laws, chapter 483	214, 412
1935, Public Local Laws, chapter 509	248
1935, Public Local Laws, chapter 510	55
1935, Public Local Laws, chapter 521	272
1935, Public Local Laws, chapter 546	160
1935, Public Local Laws, chapter 547	227
1935, Public Local Laws, chapter 559	362, 504, 544, 564, 593
1937, Private Laws, chapter 26 (H. B. 634)	625
1937, Public Local Laws, chapter 4 (S. B. 9)	89
1937, Public Local Laws, chapter 10 (H. B. 33)	31
1937, Public Local Laws, chapter 41 (H. B. 139)	570
1937, Public Local Laws, chapter 65 (S. B. 55)	528
1937, Public Local Laws, chapter 72 (H. B. 170)	155
1937, Public Local Laws, chapter 102 (H. B. 102)	511
1937, Public Local Laws, chapter 144 (H. B. 319)	373
1937, Public Local Laws, chapter 167 (H. B. 136)	602
1937, Public Local Laws, chapter 169 (H. B. 262)	376
1937, Public Local Laws, chapter 208 (H. B. 221)	573
1937, Public Local Laws, chapter 249 (H. B. 449)	551
1937, Public Local Laws, chapter 319 (H. B. 842)	599
1937, Public Local Laws, chapter 581 (H. B. 1088)	597

Laws Re-enacted:

1923, Public Local Laws, chapter 526	188
1931, Private Laws, chapter 143	35
1935, Private Laws, chapter 201	92
1937, Public Local Laws, chapter 72 (H. B. 170)	261
1937, Public Local Laws, chapter 77 (H. B. 232)	174
1937, Public Local Laws, chapter 138 (H. B. 247)	331
1937, Public Local Laws, chapter 139 (H. B. 248)	333

Laws Repealed:

1907, Private Laws, chapter 487	193
1909, Private Laws, chapter 58	632
1909, Public Laws, chapter 153	479
1913, Public Local Laws, chapter 727	467
1915, Private Laws, chapter 31	193
1917, Public Local Laws, chapter 228	315
1921, Private Laws, chapter 178	196
1921, Private Laws, chapter 214	86
1921, Public Local Laws, chapter 47	135

	PAGE
Laws Repealed—Continued—	
1923, Private Laws, chapter 116.....	512
1923, Public Local Laws, chapter 139.....	164
1923, Public Local Laws, chapter 432.....	446
1923, Public Local Laws, chapter 541.....	49
1924, Ex. Ses., Private Laws, chapter 5.....	169
1924, Ex. Ses., Public Local Laws, chapter 35.....	103
1924, Ex. Ses., Public Local Laws, chapter 72.....	571
1925, Private Laws, chapter 121.....	328
1925, Public Local Laws, chapter 112.....	597
1925, Public Local Laws, chapter 126.....	135
1925, Public Local Laws, chapter 258.....	50
1929, Public Local Laws, chapter 57.....	109
1929, Public Local Laws, chapter 103.....	178
1929, Public Local Laws, chapter 176.....	239
1929, Public Local Laws, chapter 224.....	37
1931, Public Local Laws, chapter 5.....	105
1931, Public Local Laws, chapter 62.....	65
1931, Public Local Laws, chapter 253.....	69, 253
1931, Public Local Laws, chapter 378.....	34
1931, Public Local Laws, chapter 394.....	70, 253
1931, Public Local Laws, chapter 426.....	60
1933, Private Laws, chapter 3.....	615
1933, Private Laws, chapter 156.....	273
1933, Private Laws, chapter 219.....	35
1933, Public Local Laws, chapter 96.....	120
1933, Public Local Laws, chapter 103.....	150
1933, Public Local Laws, chapter 146.....	202
1933, Public Local Laws, chapter 189.....	70, 253
1933, Public Local Laws, chapter 286.....	135
1933, Public Local Laws, chapter 287.....	112
1933, Public Local Laws, chapter 290.....	232
1935, Private Laws, chapter 4.....	296
1935, Private Laws, chapter 178.....	273
1935, Private Laws, chapter 188.....	115
1935, Private Laws, chapter 224.....	273
1935, Public Local Laws, chapter 2.....	1
1935, Public Local Laws, chapter 9.....	187
1935, Public Local Laws, chapter 18.....	187
1935, Public Local Laws, chapter 50.....	468
1935, Public Local Laws, chapter 68.....	497
1935, Public Local Laws, chapter 101.....	24
1935, Public Local Laws, chapter 120.....	121
1935, Public Local Laws, chapter 169.....	188
1935, Public Local Laws, chapter 192.....	247
1935, Public Local Laws, chapter 220.....	139
1935, Public Local Laws, chapter 227.....	70, 253
1935, Public Local Laws, chapter 253.....	576

PAGE

Laws Repealed—Continued—

1935, Public Local Laws, chapter 340	139
1935, Public Local Laws, chapter 380	452
1935, Public Local Laws, chapter 382	452
1935, Public Local Laws, chapter 397	408
1935, Public Local Laws, chapter 417	284
1935, Public Local Laws, chapter 419	462
1935, Public Local Laws, chapter 468	522
1935, Public Local Laws, chapter 522	243
1935, Public Local Laws, chapter 536	345
1937, Public Local Laws, chapter 72 (H. B. 170)	261
1937, Public Local Laws, chapter 138 (H. B. 247)	331
1937, Public Local Laws, chapter 139 (H. B. 248)	333

Leaksville:

Mayor, commissioners and other town officials, salaries of	567
Taxing power	588
Township Recorder's Court, salaries of Recorder and Solicitor	590

Lee County:

Liquor Store profits, division with municipalities	388
--	-----

Lenoir County:

Clerical assistants for Register of Deeds, Clerk of Superior Court and Sheriff provided	572
Municipal Court, salaries of Judge and Solicitor	464
Tax Collector, appointment of; powers, duties, salary	336

Lewellyn, Fred , Official acts as Assistant Clerk of Superior Court, Surry County, validated	558
--	-----

Lewellyn, John G. , Official acts as Deputy Clerk of Superior Court, Surry County, validated	558
--	-----

Lewis, Knox M. , authorized to practice as Veterinarian in Hoke and Robeson Counties	621
--	-----

Lexington , Utilities Commissioner, salary of	638
--	-----

Libraries:

Caldwell County, provision for establishment and maintenance of Law Library	225
Catawba County, Provision for establishment and maintenance of Law Library	112
Franklin County, Provision for establishment and maintenance of Law Library	183
Tarboro, sale or lease of portion of Town Commons for public library building authorized	131
Wilson County, Establishment and maintenance of free public library authorized	538

Licenses:

Anson County, Plumbing and heating contractors, State license required	403
Cherokee County, Pool and billiard rooms, license required for operation of	132

	PAGE
Licenses—Continued—	
Clay County, Pool and billiard rooms, license required for operation of	132
Guilford County, Tourist camps, road houses, etc., license required for operation of	123
Harnett County, Plumbing and heating contractors, State license required	180
Lincoln County, Merchandise, license required for sale within quarter mile of Tucker's Grove Camp Ground	423
Monroe Municipal Park, License required to operate business within 500 feet of	57
Wake County, Peddler's license tax, indigents exempt	100
Wilkes County, Coal and Coke, License required for engaging in retail sale of	581
Liens:	
Standard form of agricultural lien for Bladen, Brunswick, Columbus, Duplin and Robeson Counties	127
Light and Power—See Electricity	
Light Wines—See Alcoholic Beverages	
Lilesville:	
Tax sales validated; time for bringing tax and assessment foreclosure suits extended	496
Lincoln County:	
Commissioners authorized to sell certain portion of County Home Tract	2
Tucker's Grove Camp Ground incorporated	422
Merchandise, sale of within quarter of mile of, without license, made misdemeanor	423
Lincolnton:	
Aldermen authorized to issue bonds	92
Limitation of Actions:	
Alamance County, Actions to set aside bond orders or to restrain special tax levy	127
Aulander, Collection of street assessments	343
Forest City, Tort claims against	93
Rowland, Collection of assessments	293
Southern Pines School District, Actions to contest validity of bond election, etc.	486
Liquor Stores:	
Division of profits between Counties and Municipalities:	
Alamance County	530
Asheville	511
Buncombe County	511
Caldwell County	389
Carolina Beach	428
Catawba County	472
Davidson County	424
Durham City and County	427

	PAGE
Liquor Stores—Continued—	
Granville County	356
Guilford County	391
Hamlet	393
Harnett County	564
Henderson County	557
Hendersonville	557
Iredell County	468
Lee County	388
McDowell County	439
Martin County	575
Mecklenburg County	302
New Hanover County	428
Pender County	390
Person County	402
Richmond County	393
Rockingham, Town of	393
Rowan County	550
Roxboro	402
Salisbury	550
Union County	575
Wayne County	443
Wilmington	428
Wilson County	598
Wrightsville Beach	428
Election on question of continuing stores in Halifax County au- thorized	510
Establishment of, Beaver Dam and Waynesville Townships, Hay- wood County	552
Expenditures of profits for law enforcement authorized, Pitt County	365
Profits used for retirement of bonded debt, Pasquotank County.....	336
Little Switzerland:	
Beer, wine, etc. prohibited within two miles of Church of the Resurrection	507
Livestock and Livestock Commissions:	
Asheville, Regulation of importation of swine.....	251
Buncombe County, regulation of importation of swine.....	251
Macon County, Livestock Commission created.....	121
Swain County, Livestock Commission created; purchase of animals authorized	351
Log Cabin Association, Jackson County, lands exempt from taxation	605
Lucama:	
Corporate limits enlarged.....	473

	PAGE
M	
McCullough, J. W., compensation for injuries to daughter.....	650
McDowell County:	
Alcoholic beverages prohibited near Church of the Resurrection, Little Switzerland	507
Centennial Commission created	355
Clerk of Superior Court and Register of Deeds, clerical assistance provided	524
Jurors, compensation of	525
Liquor store profits, division with municipalities.....	439
Sheriff and Deputy, compensation of.....	524
Macon County:	
County Commissioners, compensation of.....	120
Delinquent tax collector, appointment of; adjustment of delin- quent taxes	148
Economic emergency tax relief law repealed.....	408
Jailer, fees of	27
Jury Commission created; membership, duties, etc.....	36
Livestock Commission created; duties, compensation of members, etc.	121
Scalps of coyotes, wild cats, etc., bounty upon	272
Tax liens, foreclosure of postponed.....	31
Tax sales certificates, foreclosure of postponed.....	14
(Law amended, page 31)	
Taxation, revaluation and listing of property for; appointment of appraisers, etc.	99
Unlawful fishing in certain streams made misdemeanor.....	527
Madison:	
Town officials, time for assuming office.....	473
Manteo:	
Roanoke Island Fire District, maintenance of fire protection for....	231
Maps—See Land Plats	
Marriages, Performed by J. B. Craigmiles, Justice of Peace, Mitchell County, validated	
	328
Martin County:	
Board of Commissioners, nomination of candidates for.....	38
Delinquent taxes, county and municipalities, time of sales for, extended	56
Liquor store profits, division with municipalities.....	575
Public Landing on Roanoke River, title vested in County; sale authorized	44
Tax Collector, creation of office of, authorized; compensation of	371
Title to land determined to be in Martin instead of Beaufort County, ratified	359
Masonic Order, Yancey County, and Burnsville authorized to grant tax exemptions to	
	621

Maxton:

Industrial enterprise building, construction proposed; bond issue and tax levy authorized, subject to election.....	458
Special assessments, extension of time for payment.....	313
Tax foreclosures, sales of property acquired under, authorized; sales validated	509

Maysville:

Foreclosure of certain tax sales certificates, time extended.....	35
---	----

Mease, C. N., Reimbursement for loss of Wild Life Exhibit destroyed at State Fair

639

Mebane:

Sewage disposal bonds authorized.....	157
---------------------------------------	-----

Mecklenburg County:

Clerk of Superior Court, schedule of fees and commissions.....	488
Collector of Revenue, office of created	308
Delinquent taxes, penalties, etc., adjustment by county and municipalities authorized	560
Delinquent taxes, penalty or interest rate for county and municipalities	561
Delinquent taxes, requirement for annual sales by county and municipalities eliminated	579
Grand Jury, selection and term of.....	10
Liquor store profits, division with municipalities	302
Mecklenburg Drainage Commission, authorized to establish drainage district within Charlotte.....	360

Milk Containers:

Buncombe County, Wrongful use of prohibited.....	600
Durham County, Wrongful use of prohibited.....	600
Edgecombe County, Wrongful use of prohibited	600
Halifax County, Purchase, sale or use of bottles of another in certain cases prohibited	156
Northampton County, Purchase, sale or use of bottles of another in certain cases prohibited.....	156
Wake County, Wrongful use of prohibited.....	600
Wilson County, Wrongful use of prohibited	600

Minors and Incompetents:

Forsyth County, Public Guardian, payment to of small sums due minors, incompetents, etc.	504
---	-----

Mitchell County:

Alcoholic beverages prohibited near Church of the Resurrection, Little Switzerland	507
Beer and wine, sale of prohibited.....	366
Craigsmiles, J. B., Justice of the Peace, marriages performed by, validated	328
Penalties and interest on certain delinquent taxes, Commissioners authorized to cancel.....	579
Quadrennial reassessment of real estate for taxation, regulation of	386
Tax foreclosures, time for institution of proceedings extended....	580

	PAGE
Monroe:	
Monroe Municipal Park, dance halls, etc. prohibited within half mile of, etc.	57
Park and Recreation Commission created; appointment of members; powers, etc.	66
Police, jurisdiction of, extended over Monroe Municipal Park	57
Recorder's Court, Salary of Recorder, Prosecuting Attorney and Clerk	312
Tax levy for parks and recreational centers, election on question of authorized	68
Town Cotton Weigher, fees allowed.....	624
Montgomery County:	
Deputy Clerk of Superior Court and Assistant Register of Deeds, salaries of	353
Rural policemen, appointment of; duties, compensation.....	571
Moody, Wade C., Justice of the Peace, Surry County, acknowledgments and probates before, validated.....	523
Moore, Grover Cleveland, compensation for personal injuries.....	608
Moore County:	
Board of Commissioners, compensation of chairman and members	435
Hemp Special Taxing District, payment of high school teacher	116
Southern Pines School District, Special election on issuance of bonds for school buildings authorized.....	484
Tax Sales and certificates validated; foreclosure proceedings validated; time for foreclosures extended.....	98
Mooreville:	
Police, authority of, extended.....	94
Morehead City:	
Delinquent taxes, adjustment of; bonds acceptable in payment of taxes	415
Morganton:	
School Administrative Unit, Act authorizing payment to of certain sums by County Commissioners, Burke County.....	53
Trustees of Graded School increased; appointment, terms, etc.....	559
Morven:	
Tax sales validated; time for bringing tax and assessment foreclosure suits extended	496
Motor Vehicles:	
Asheville, Registration tag required.....	115
Graham County, Automobile for use of county, law relating to purchase of, repealed.....	150
Mount Airy, Traffic Court created.....	184
Mount Airy:	
Tax adjustments authorized; extension of time for tax sales and foreclosures	152
Town Commissioners, election of.....	386
Traffic Court department of Recorder's Court created; jurisdiction, etc.	184

	PAGE
Mount Gilead:	
Street and sidewalk assessments, time for payment extended.....	240
Mount Holly:	
Church properties exempt from paving assessments.....	140
Governing body authorized to buy, lease or sell property.....	101
Mayor, if licensed lawyer, authorized to perform duties of town attorney	271
Paving assessments, adjustment of.....	101
Mount Pleasant:	
Water and sewerage system, provision for completion.....	462
Moxley, C. E., Yadkin County, authorized to collect back taxes.....	400
Municipal Courts—See Courts	
Municipal Parks—See Parks	
Municipalities—See Particular City or Town	
Murphy:	
Mayor and Aldermen; terms of; police officers not allowed costs in addition to salaries	586

N

Nash County:	
Mannings Township Road District, refunding bonds.....	585
Sheriff, limitation on salary removed.....	563
Tax foreclosures, time for bringing suits extended.....	330
New Hanover County:	
American Legion Recreational Park, appropriation for.....	212
Community Hospital of Wilmington, tax levy and appropriations for; care of indigent sick.....	440
County Board of Elections, compensation of members.....	597
Delinquent taxes, adjustment of.....	66
Greenfield Park and Lake, development and maintenance proposed	234
Identification expert allowed an assistant, etc.....	107
James Walker Memorial Hospital, annual appropriation for.....	10
Liquor store profits, division with municipalities.....	428
Plumbing inspector, appointment; duties; compensation.....	55
Precinct officers, compensation of	543
Register of Deeds, salary of.....	118
Newton:	
Aldermen, compensation of.....	252
Nomination of Candidates—See Elections and Election Laws	
North Wilkesboro Academical and Industrial Institute, appointment of Trustees, validated	623
Northampton County:	
Board of Education, nomination and election of members.....	106
County Commissioners, nomination and election of.....	88
County Officials, compensation of; duties.....	6
Milk bottles, purchase, sale or use of bottles of another in certain cases prohibited	156
School properties, use of funds derived from sales.....	59

	PAGE
Norville, J. C., refund of gasoline tax to, authorized.....	606
Notaries Public:	
Halifax County, certain probates and acknowledgments of Nettie Cuthrell, validated	402
Rowan County, official acts of J. M. Waggoner validated.....	304
Notes—See Bonds and Notes	
North Carolina Real Estate Commission, Acts of officers and agents validated; completion of unfinished business.....	22

O

Ocracoke Island, sale of intoxicating beverages prohibited.....	521
Onslow County:	
Clerk of Superior Court and Register of Deeds, provision for clerical assistants	466
County Commissioners and Board of Education, nomination and election of	133
Grand Jurors, selection and terms.....	390
Orange County:	
Board of Assessors, appointment authorized	324
Carrboro, Town authorized to use county tax abstracts in levying taxes	339
Clerk of Superior Court, appointment of deputy; salary.....	232
Reassessment of property and equalization of tax values.....	324
Tax Collector, office of created.....	205
Tax listings, sales and judicial proceedings validated.....	176
Orphan Home, maintenance of by Grand Lodge of Knights of Pythias authorized	656
Oxford:	
Corporate limits redefined	591
Mayor's court, fees and costs	79
Town Officials, election for four years	438

P

Padrick, R. M., Wilmington, payment to of firemen's pension.....	625
Pamlico River, Beaufort County, Regulation of use of long haul or drag nets	248
Pantego:	
Option for sale of property authorized; execution of deed upon exercise of option.....	592
Parks:	
Beaufort, Town of, Park Commission created.....	277
Monroe:	
Park and Recreation Commission created.....	66
Tax levy for parks, election on question of.....	68
Monroe Municipal Park, dance halls, etc. prohibited within half mile of, etc.....	57
New Hanover County:	
American Legion Recreational Park, appropriation for.....	212

	PAGE
Parks—Continued—	
Greenfield Park and Playground, development and maintenance by county, proposed.....	234
Pasquotank County:	
Auditor, salary of.....	278
Board of County Commissioners, salary of chairman.....	342
Liquor store profits, use of toward retirement of bonded debt.....	336
Pasquotank Drainage District No. 1, time for tax foreclosure actions extended	27
Register of Deeds, employment as Clerk to Board of Commissioners authorized	58
Tax Supervisor, salary of.....	341
Pawnbrokers:	
Buncombe County, pledging, purchase and sale of second-hand merchandise by pawnbrokers, etc. regulated.....	166
Peace Officers' Protective Association:	
Durham:	
Executive Board created; initiation fees.....	469
Fees taxed in certain cases in Durham County Recorder's Court for benefit of.....	589
Hertford County, creation of; establishment of relief fund.....	618
Peachland:	
Alcoholic beverages, sale within mile of railway depot prohibited	395
Tax sales validated; time for bringing tax and assessment foreclosure suits extended.....	496
Peddlers, Wake County, exemption of indigents from peddlers' license tax	100
Penalties and Interest—See Taxes and Taxation	
Pender County:	
Auditor, election and salary of.....	88
County Manager, designation of; powers, duties and compensation	207
Delinquent taxes, Act relating to adjustment of, amended.....	335
Fireworks prohibited	414
Hog cholera virus, sale and use of; regulation; compensation of Farm Demonstration Agent.....	374
Liquor store profits, division with municipalities.....	390
Tax Collector:	
Bond required	551
Delinquent Taxes, collection; commissions of tax collector.....	233
Election and salary of.....	109
Perquimans County:	
County Treasurer, salary of.....	251
Hog cholera virus, sale and use authorized.....	565
Sheriff, commissions on taxes collected.....	426
Perquimans River, Regulation of use of fish nets and stakes.....	587
Person County:	
Liquor control election, payment of expenses.....	402
Liquor store profits, division with Town of Roxboro.....	402

	PAGE
Pilot Mountain:	
Tax adjustments authorized; extension of time for tax sales and foreclosures	152
Pinnell, Sam W., Estate, compensation for death of Sam W. Pinnell.....	640
Pink Hill:	
Laws prohibiting intoxicating liquors, repealed.....	193
Pitt County:	
Deputy Sheriffs, salaries of.....	483
Farmville Township, office of public cotton weigher established	292
Jailer, appointment of; powers, duties; jail regulations.....	483
Liquor store profits, expenditure of portion of for law enforcement authorized	365
School Districts, advances by county for erection of school buildings validated; refunds authorized	362
Creation of; issuance of bonds.....	362
Sheriff, travel expense allowance of.....	483
Sheriff's office, employment of additional help authorized; compensation	162
Treasurer, election of for four years.....	473
Plats—See Land Plats	
Pledges—See Purchases and Sales	
Plumbing and Heating:	
Anson County, Contractor's license required; standard regulations for installation	403
Harnett County, Contractor's license required; standard regulations for installation.....	180
Plumbing Inspector, New Hanover County, appointment; compensation ..	55
Police Officers—See under Particular City or Town	
Police Pension Funds, Durham County and City, law creating Peace Officers' Protective Association, amended.....	469
Wilmington Police Pension Fund, appointment of Trustee.....	634
Polk County:	
Sheriff, salary and fees of.....	473
Polkton:	
Tax sales validated; time for bringing tax and assessment foreclosure suits extended.....	496
Pool and Billiard Rooms:	
Cherokee County, regulation of.....	132
Clay County, regulation of.....	132
Salemberg, Sampson County, prohibited within three miles of.....	48
Union County, prohibited within half mile of Monroe Municipal Park	57
Poultry, Regulation of purchases for resale in Hyde and Yadkin Counties	382
Power and Light—See Electricity	
Primaries—See Elections and Election Laws	
Princeville:	
Jurisdiction of police officers of Tarboro extended within corporate limits of	131

	PAGE
Printing, Capital Printing Company, printing bill ordered paid.....	616
Prisons and Prisoners—See Jails	
Prize Fights—See Boxing and Wrestling	
Probate:	
Franklin County, instruments acknowledged or probated before M. K. Clark, J. P., validated.....	428
Halifax County, certain probates and acknowledgments taken by Nettie Cuthrell, N. P., validated.....	402
Haywood County, Certain instruments probated by Assistant C. S. C. validated.....	219
Henderson County, defective acknowledgments of certain instru- ments validated	281
Surry County, Probates and acknowledgments of instruments be- fore Wade C. Moody, J. P., validated.....	523
Professional Bondsmen, Buncombe County, Act regulating.....	352
Profits, Liquor Stores—See Liquor Stores	
Prohibition Laws:	
Alexander County, sale of alcoholic beverages near certain churches in Hiddenite, prohibited.....	124
Anson County, Sale of beer, etc. within mile of Peachland, pro- hibited	395
Atlantic, Sale of intoxicating beverages prohibited.....	581
Autryville, Sale of intoxicating liquor within mile of, prohibited	508
Black Mountain, Sale of intoxicating beverages prohibited.....	367
Buncombe County, Sale of intoxicating beverages within mile of Swannanoa, prohibited	367
Carteret County, Sale of intoxicating beverages in community of Atlantic, prohibited	581
Caswell County, Law relating to prohibition enforcement, amended	50
Laws relating to prohibition enforcement repealed.....	49, 50
Cullowhee, Sale of beer, wine, etc. within mile of Western Caro- lina Teachers' College prohibited.....	455
Forsyth County, Sale of intoxicating liquor near Love's M. E. Church, Middlefork Township, prohibited.....	574
Granville County, Payment of fee for seizing distilleries, optional with commissioners	412
Harnett County, Manufacture and sale of beer and wine prohib- ited near certain churches	104
(Law amended, page 511)	
Hyde County, Sale of intoxicating beverages on Ocracoke Island prohibited	521
Jackson County, Sale of alcoholic beverages near Glenville High School prohibited	589
Sale of beer, wine, etc. within mile of Western Carolina Teach- ers' College prohibited	455
Johnston County, Sale of beer and wine on Sunday prohibited....	387
Little Switzerland, Alcoholic beverages prohibited within two miles of Church of the Resurrection.....	507

	PAGE
Prohibition Laws—Continued—	
McDowell County, Alcoholic beverages prohibited within two miles of Church of the Resurrection, Little Switzerland.....	507
Mitchell County, Alcoholic beverages prohibited within two miles of Church of the Resurrection, Little Switzerland.....	507
Sale of beer and wine prohibited.....	366
Ocracoke Island, Sale of intoxicating beverages prohibited.....	521
Peachland, Sale of alcoholic beverages within mile of railway depot prohibited	395
Pink Hill, Laws prohibiting intoxicating liquors repealed.....	193
Pitt County, expenditures from liquor store profits for law enforcement	365
Sampson County, Sale of intoxicating liquor in certain locality in Franklin Township prohibited.....	509
Sale of intoxicating liquor within mile of Autryville prohibited	508
Scotland County, Alcoholic beverages within mile of Wagram prohibited	204
Swannanoa, Sale of intoxicating beverages within mile of railway station prohibited	367
Tyrrell County, Sale of intoxicating liquors near Sound Side Free-will Baptist Church, prohibited.....	567
Union County, Sale of alcoholic beverages near certain church, prohibited	191
Vance County, Law relating to enforcement of liquor laws repealed	597
Wagram, Alcoholic beverages within mile of, prohibited.....	204
Warrensville, Aldermen authorized to prohibit sale of alcoholic beverages	580
Western Carolina Teachers' College, Sale of beer, wine, etc. within mile of, prohibited.....	455
Wilkes County, Sale of intoxicating liquors near certain churches and school prohibited	179
Yancey County, Sale of intoxicants prohibited.....	542
Public Drunkenness—See Crimes and Punishment	
Public Health and Health Officers—See under Particular County, City or Town	
Public Records, Haywood County, Law relating to indexing.....	426
Public Roads—See Roads and Highways	
Public Schools—See Schools and School Districts	
Public Utilities:	
Bostic, Town authorized to furnish power and light for town and citizens	196
Fayetteville Public Works Commission, Extension of power lines and sale of electricity, authorized.....	522
Public Welfare:	
Guilford County, Special tax levy for welfare department.....	167

	PAGE
Public Welfare—Continued—	
Raleigh, Appointment of Welfare Board and Superintendent of Welfare; powers; compensation; etc.....	562
Consolidation of Raleigh and Wake County welfare activities	561
Rocky Mount, Creation of welfare district; appointment of welfare officer	507
Wake County, Appointment of Welfare Board and Superintendent of Welfare; powers; compensation; etc.....	562
Consolidation of Wake County and Raleigh welfare activities	561
Pungo River, Beaufort County, Regulation of use of long haul or drag nets	248
Purchases and Sales:	
Alexander County, Commissioners authorized to purchase land adjoining County Home.....	329
Aulander, Authorized to acquire and sell property.....	39
Disposition or division of property acquired at tax foreclosures by Town and Bertie County.....	270
Beaufort (Town), Park Commission authorized to acquire properties	278
Bertie County, Disposition or division of property acquired at tax foreclosures by county and Aulander.....	270
Brevard, Private sale of property acquired through tax foreclosures, authorized	169
Purchase of golf course authorized	295
Buncombe County, Bankrupt, insolvent and fire-damaged merchandise, sales of regulated	401
Second-hand merchandise, pledging, purchase and sale of, regulated	166
Catawba County, Provision for sale of real estate owned by municipalities	209
Cherokee County, Private sale of properties acquired by county and municipalities at tax foreclosures authorized.....	566
Dunn, Purchase of additional lands for cemetery purposes, authorized	86
Greensboro, Release of interest in certain land authorized.....	16
Guilford County, Board of Education authorized to sell Old Red Hill Colored School Property.....	106
Purchase of land for school playground authorized.....	29
Hamlet, Authorized to sell certain property to S. A. L. Railway Company	263
Hendersonville, Authorized to sell land acquired under tax foreclosure	275
Hickory, Authorized to purchase land for widening streets and sidewalks on Union Square	363
Hyde County, Regulation of purchases of poultry for resale.....	382
Lincoln County, Commissioners authorized to sell certain land in Ironton Township	2

	PAGE
Purchases and Sales—Continued—	
License required for selling merchandise in and near Tucker's Grove Camp Ground	423
Macon County, Purchase of animals by Livestock Commission authorized	121
Manteo, Purchase of fire fighting equipment for Roanoke Island Fire District	231
Martin County, Sale of Public Landing on Roanoke River authorized	44
Maxton, Authorized to purchase land for building purposes, subject to referendum	458
Sale of property acquired under tax foreclosures authorized; sales validated	509
Mount Holly, Authorized to buy, lease or sell property at public or private sale	101
Pantego, Option for sale of property, authorized.....	592
Roanoke Island Fire District, Purchase of equipment by Town of Manteo	231
Swain County, Purchase of animals by Livestock Commission authorized	351
Tarboro, Authorized to sell or lease portion of Town Commons for public library building.....	131
Tucker's Grove Camp Ground, License required to sell merchandise	423
Wake County, Board of Education authorized to sell "Academy Lot" located in Apex.....	396
Wilkes County, Regulation of sale of coal and coke.....	581
Wilson County, Sinking Fund Commission, Purchases and Sales of property validated; future sales authorized.....	305
Yadkin County, Regulation of purchases of poultry for resale....	382
Pyrotechnics—See Fireworks	

R

Rabies—See Dogs

Racing , Rowan County, Operation of racing course for dogs and horses, subject to referendum.....	377
--	-----

Radio:

Wilmington, Installation of police radio system authorized.....	409
---	-----

Raleigh:

Board of Health for Raleigh and Wake County created.....	59
Bureau of Identification for Wake County and Raleigh created.....	502
Calvary Baptist Church incorporated.....	654
Election of city officials for four year terms, referendum on question of	531
Public Welfare, appointment of Board members and Superintendent of Welfare; powers, compensation, etc.....	562
Consolidation of Raleigh and Wake County activities.....	561

	PAGE
Randolph County:	
Archdale-Trinity Sanitary District, establishment, boundaries; appointment of Commissioners.....	318
County Commissioners, compensation of.....	192
Precinct officials, compensation of.....	543
Real Estate Brokers and Salesmen, Law regulating commissions on certain loans, repealed.....	103
Real Estate Commission, North Carolina, Acts of officers and agents validated; completion of unfinished business.....	22
Receivers and Receiverships:	
Stokes and Surry Counties, closed bank dividends, payment to Clerk of Superior Court where address of depositor unknown	493
Recorder's Courts—See Courts	
Recreation Parks—See Parks	
Register of Deeds—See under Particular County	
Richmond County:	
Carnival Companies, etc., operation or showing of, prohibited	221
County Recorder's Court, election and salary of Solicitor	535
Liquor law enforcement, appropriation for, directed	393
Liquor store profits, division with municipalities	393
Mark's Creek Township Recorder's Court, salary of Recorder	535
Rockingham, Territorial jurisdiction of police extended	202
Tax Assessor, appointment of; salary	434
Richmond Flying Club of Rockingham, creation of	610
Roads and Highways:	
Burke County, Referendum on question of assumption of all township road bonds	135
(Law repealed and re-enacted, page 331)	
Cumberland County, Bond indebtedness of Black River Township Road District, assumption of by County	114
Sale of gasoline to intoxicated persons prohibited	180
Nash County, Mannings Township Road Bonds, refunding of	585
Roanoke Island Fire District, created, tax levy authorized; fire protection provided for	231
Roanoke Rapids:	
Charter amended as to corporate limits, election of mayor and commissioners; taxation, etc.	61
Roanoke River, Public landing, title vested in Martin County; sale authorized	44
Robeson County:	
Agricultural lien and title note, standard form	583
Chattel mortgage, standard form	513
Lewis, Knox M., authorized to practice as veterinarian	621
Recorder's court, jurisdiction of	25
Jury Trials, provision for	150
Skipper, C. B., Clerk of Superior Court, Reimbursement for funds lost in closed bank	614
Tax sales and certificates validated	160

	PAGE
Rockingham:	
Bonds validated; refunding and funding bonds authorized	15
Liquor store profits, division between Town and Rockingham County	393
Police jurisdiction extended	202
Rockingham County:	
Bethany School District, division into three districts	447
Delinquent tax sales and certificates validated	289
Justices of the Peace, Law regulating fees of, repealed	522
Leaksville Township Recorder's Court, salaries of Recorder and Solicitor	590
Sheriff, salary of	578
Tax Collector and Assistants, appointment of; powers and duties; compensation	577
Rocky Mount:	
Bonds for gymnasium validated	8
Municipal gymnasium, provision for	8
Welfare district, creation of; appointment of welfare officer	507
Rose, H. V., Clerk of Superior Court, Johnston County, relieved of per- sonal liability for stolen public funds	639
Rowan County:	
Agricultural, Breeders' and Racing Commission created; duties, etc.	377
Farm tenancies, Act fixing term of, repealed	101
Interest rate on 1936 and subsequent taxes	422
Iredell-Rowan County Drainage District, appointment of Com- missioners; acts of commissioners validated	466
Klumac Cotton Mills, Inc., adjustment of taxes assessed against	634
Land plats, maps, etc., registration of; regulations	282
Liquor store profits, division with municipalities	550
Local school supplements, elections on question of tax levy for	601
Second Creek Drainage District created; appointment and powers of Commissioners; assessments	556
Third Creek Drainage District created; appointment and powers of Commissioners; assessments	554
Township officers, election of	200
Waggoner, J. M., acts of as Notary Public, validated	304
Rowland:	
Assessments, extension of time for payment	293
Unpaid assessments, statute of limitations as to enforcing collec- tion of	293
Roxboro:	
Liquor control election, Person County, Town to pay part of ex- pense of holding election	402
Liquor store profits, division between Town and Person County	402
Tax sales and certificates validated	162
Rutherford County:	
Bostic, tax assessments of county applicable to town, use of in preparation of town tax abstracts	197

Rutherford County—Continued—

Chimney Rock Township, Tax Commission authorized; powers and duties	216
---	-----

S**Salaries and Fees:**

Alamance County, Compensation of keeper of jail and assistants	500
Salary and expense allowance of Sheriff	392
Salary of C. S. C. as Clerk of General County Court	301
Salary of Register of Deeds	465
Alexander County, Commissions of County Accountant for collecting delinquent taxes	294
Salaries of deputies sheriff	87
Salary of Register of Deeds	290
Ashe County, Compensation of Board of Education and Superintendent of Schools	369
Fees of attorney in tax foreclosure suits	230
Aulander, Compensation of town officials	370
Avery County, Compensation of Commissioners	65
Extra compensation for tax collector for transportation, etc.	301
Sheriff's fees	279
Beaufort, Salary of mayor	330
Beaufort County, Fees of tax collector for vaccinating dogs against rabies	156
Compensation of W. A. Blount, Jr., for collecting taxes	117
Bladenboro, Compensation of tax collector	512
Bladen County, Compensation for clerical assistance to C. S. C.	532
Compensation for clerical assistance to Register of Deeds	533
Salary of prosecuting attorney of Recorder's Court	425
Salary of Auditor	495
Bostic, Compensation of tax collector	196
Brunswick County, Salary of tax collector	412
Travel expense allowance of Sheriff	572
Buncombe County, Fees of jurors	55
Salaries of Chairman and Tax Supervisor, members and employees of Board of Tax Supervision	71, 254, 255
Salary of deputy constable of Asheville Township	22
Salary of Secretary of Sinking Fund Commission	4
Salary of Sheriff and chief deputy	250
Burke County, Register of Deeds placed on commission and fee basis	529
Cabarrus County, Fees of Sheriff and other officers for arrests in criminal cases	573
Salaries of deputies sheriff	452
Caldwell County, Salary of Register of Deeds	118
Sheriff's fees for levying attachment	502
Camden County, Compensation of Farm Demonstration Agent for distribution of hog cholera virus	551
Canton, Salary of prosecuting attorney of police court	587

Salaries and Fees—Continued—

Carolina Beach, Compensation of Consolidated City-County Tax Collector	246
Compensation of Mayor and Aldermen	224
Carteret County, Salary of Sheriff	521
Caswell County, Salaries of recorder and solicitor of Recorder's Court	105
Sheriff's fees	281
Sheriff's fee for arrest and conviction of tobacco thieves	138
Catawba County, Compensation of Tax Supervisor, list takers, members of Tax Commission	80, 81
Law library fees in Superior and other courts	112
Salaries of public officials	133
Charlotte, Salaries of airport manager and assistants	525
Salary of city attorney	165
Cherokee County, Fees of Sheriff	90
Salary of Clerk of Superior Court	48
Chimney Rock Township, Rutherford County, Compensation of Tax Commission	217
Cleveland County, Salary of Auditor	279
Columbus County, Salaries of Recorder, Solicitor, and C. S. C. as Clerk, Recorder's Court	236
Craven County, Compensation of Central Board of Assessors	500
Cumberland County, Fees of Justices of the Peace for certain services	497
Currituck County, Compensation of assistant trial justice, Recorder's Court	92
Davidson County, Compensation of tax collector	448
Davie County, Salary of Sheriff	182
Salary of tax collector	181
Duplin County, Solicitor fees of General County Court paid to County Treasurer	49
Durham County, Fee taxed in certain cases in Recorder's Court for Peace Officers' Protective Association	589
Payment of fees to constables for making arrests in certain cases	411
Edgecombe County, Compensation of Board of Commissioners	110
Compensation of Board of Education	213
Enfield, Mayor and Commissioners, compensation of	632
Elizabeth City, Salary of Chairman and members of City Council	341
Salary of Chairman of Public Utilities Commission	341
Salary of Municipal Health Officer	338
Forsyth County, Compensation of Official Court Reporter and Assistants	480
Compensation of members of Board of Assessors	111
Compensation of public guardian in certain cases	506
Fees of C. S. C. and of Clerk of Forsyth County Court	345
Salaries of Sheriff, Register of Deeds, and C. S. C.	198

Salaries and Fees—Continued—

Franklin County, Law library fees in Superior and Recorder's Court	183
Salary of C. S. C. and Deputy	249
Salary of County Accountant	523
Salary of Deputy Sheriff	244
Salary of Register of Deeds	244
Gates County, Compensation of County Commissioners	300
Graham County, Additional salary for Sheriff	33
Granville County, Compensation of Special Tax Assistant	537
Fees of C. S. C.	544
Fees of recorder and prosecuting attorney, Recorder's Court, taxed as costs	590
Payment of fee for seizing distillery optional with Commissioners	412
Salary of additional deputy Register of Deeds	214
Greenville, Compensation of Civil Service Board	420
Halifax County, Register's fees for recording certain papers increased	241
Harnett County, Compensation of experts assisting in assessment and equalization of property valuations	443
Fees of grand and regular jurors	78
Haywood County, Compensation of County Commissioners	121
Salary of Sheriff	247
Salary of Tax Supervisor	357
Henderson County, Compensation of Court Cryer	447
Compensation of finger print expert	447
Salary of delinquent tax collector	96
Hertford (Town), Salary of mayor	291
High Point, Compensation of Civil Service Commission	142
Salaries of officials of Municipal Court	311
Hoke County, Register of Deeds, Fees for registering Federal crop liens and chattel mortgages	52
Hyde County, Commissions of Sheriff for taxes collected	227
Compensation of C. S. C.	139
Compensation of Register of Deeds for preparation of tax books	166
Jones County, Schedule of fees of C. S. C.	429
Kinston, Salary of City Manager	596
Leaksville, Salaries of mayor, commissioners and other town officials	567
Leaksville Township, Rockingham County, Salaries of Recorder and Solicitor of Recorder's Court	590
Lenoir County, Pay of clerical assistants of Register of Deeds, Sheriff and C. S. C.	572
Salaries of Judge and Solicitor of Municipal Court	464
Salary of Tax Collector	337
Lexington, Utilities Commissioner, limitation on salary removed ..	638
McDowell County, Compensation of sheriff and deputy; salaries of assistants of C. S. C. and Register of Deeds	524

Salaries and Fees—Continued—

Jurors, Compensation of	525
Macon County, Compensation of Commissioners	120
Compensation of Jury Commission	36
Compensation of members of Livestock Commission	121
Fees of jailer	27
Salary of delinquent tax collector	148
Martin County, Compensation of tax collector	371
Mecklenburg County, Fees and commissions of C. S. C.	488
Salary of Collector of Revenue	308
Monroe, Salaries of officials of Recorder's Court	312
Salary of cotton weigher increased	624
Montgomery County, Compensation of rural policeman	571
Salaries of Deputy C. S. C. and Assistant Register of Deeds.....	353
Moore County, Compensation of Chairman and members of Board of Commissioners	435
Mount Holly, Additional compensation of mayor when acting as town attorney	271
Murphy, Police officers not allowed costs in addition to salaries	586
Nash County, Limitation on salary of sheriff removed	563
New Hanover County, Compensation of Board of Elections	597
Pay of precinct officers	543
Salary of Register of Deeds	118
Newton, Compensation of Aldermen	252
Northampton County, Salaries of County officials	6
Orange County, Compensation of Board of Assessors	324
Compensation of Tax Collector	206
Salary of deputy clerk of court.....	232
Oxford, Fees and costs, Mayor's Court	79
Pasquotank County, Salary of Auditor	278
Salary of Chairman of Board of Commissioners	342
Salary of Register of Deeds as Clerk to Board of Commis- sioners	58
Salary of tax supervisor	341
Pender County, Compensation of County Manager	207
Compensation of Farm Demonstration Agent for selling and using hog-cholera virus	374
Salary of Auditor	88
Salary of Tax Collector	109, 233
Perquimans County, Commissions of Sheriff on taxes collected	426
Compensation of persons distributing and using hog-cholera virus	565
Salary of County Treasurer	251
Pitt County, Compensation of additional helper in Sheriff's office.....	162
Compensation of public cotton weigher of Farmville Township	292
Salaries of deputies sheriff	483
Travel expense allowance of Sheriff	483
Polk County, Salary and fees of Sheriff	473
Randolph County, Compensation of Commissioners	192
Pay of precinct officials.....	543

Salaries and Fees—Continued—

Richmond County, Salary of Recorder of Mark's Creek Township	
Recorder's Court	535
Salary of Solicitor of County Recorder's Court	535
Salary of tax assessor	434
Rockingham County, Law regulating J. P. fees repealed	522
Salaries of Recorder and Prosecutor of Leaksville Township Recorder's Court	590
Salary of Sheriff	578
Salary of tax collector and assistants	577
Rowan County, Salaries of members of Agricultural, Breeders' and Racing Commission	377
Rutherford County, Chimney Rock Township, Compensation of Tax Commission	217
Spencer, Additional fees as part of costs for recorder, prosecuting attorney and clerk, Mayor and Recorder's Court	451
Fees for arrests by salaried officer payable to town treasurer	451
Salary of clerk of Mayor and Recorder's Court	450
Salary of prosecuting attorney of Mayor's and Recorder's Court	496
Salary of Recorder of Mayor's and Recorder's Court	450
Stanly County, Compensation of tax collector and his attorney	444
Salaries of County Commissioners	542
Salaries of judge and prosecuting attorney of County Court	569
Salary of Sheriff	445
Statesville, Aldermen, compensation increased	646
Stokes County, Compensation of C. S. C. for handling certain bank receivership funds	493
Surry County, Compensation of C. S. C. for handling certain bank receivership funds	493
Salaries of tax collectors (Mt. Airy and Elkin)	85
Salary of deputy sheriff	299
Salary of jailer	297
Schedule of fees of justices of the peace	440
Swain County, Compensation of County Commissioners	243
Compensation of members of Livestock Commission	351
Salary of sheriff	568
Tabor City, Regulation of salaries and fees of town officers	391
Transylvania County, Salary of Sheriff	242
Union County, Compensation for additional deputy sheriff	34
Salaries of clerical assistants of Register of Deeds	58
Salaries of C. S. C., Register of Deeds and Assistants	403
Salary of County Accountant	313
Salary of Tax Collector	41
Vance County, Compensation of Clerk of Recorder's Court	188
Salaries and expenses of sheriff and deputies	309
Salary of Recorder	203
Wake County:	
Clerk of Superior Court, Salary of Assistant	273
Identification experts and assistants, compensation of	503
Public Officials, salaries increased	122

Salaries and Fees—Continued—

Superintendent of Public Welfare, Salary of	562
Supervisor of Taxation, compensation of	149, 150
Tax Collector, office of, salaries and expenses	172
Wake Forest Recorder's Court:	
Fees, schedule of	517
Officials, compensation of	516
Recorder, Prosecuting Attorney and Clerk, salaries of	305
Warren County:	
Clerk of Superior Court, compensation of deputy	28
Coroner, salary and mileage allowance	434
County Commissioners, compensation of	317
Recorder's Court, salaries of Judge and Solicitor	291
Sheriff, travel expense allowance	119
Superior Court, compensation of Assistant Solicitor	571
Watauga County, Tax Collector, commissions for collection of taxes	423
Waynesville, Mayor and Aldermen, salaries of	120
Wilson County:	
Public library, compensation of librarian and secretary of Board of Trustees	539, 540
Tax foreclosure suits, fees of Clerk of Superior Court and Sheriff	411
Yadkin County, County Accountant and Tax Supervisor, salary of	315
Yancey County, Special Deputy Sheriff, compensation of	356
Salemberg:	
Operation of pool rooms, dance halls or sale of intoxicants within three miles of prohibited	48
Salisbury:	
Bond sales anticipation loan notes validated; funding bonds authorized	45
Klumac Cotton Mills, Inc., adjustment of taxes assessed against	634
Liquor store profits, division between City and Rowan County	550
Sampson County:	
Board of Education, deficit for school buildings validated; etc.	400
Hogs, vaccination of against cholera authorized	543
Intoxicating liquor, sale in certain locality in Franklin Township, prohibited	509
Sale within mile of Autryville prohibited	508
Recorder's Court, clerks released from liability for funds lost in closed banks; appropriation to cover loss	365
Salemberg, operation of pool rooms, dance halls or sale of intoxicants prohibited within three miles of	48
Sanatoriums—See Hospitals	
Sanitary Districts:	
Archdale-Trinity Sanitary District, Guilford and Randolph Counties, establishment of	318
Caswell County, proceedings for creation of sanitary districts validated	51

	PAGE
Schools and School Districts:	
Alamance County, school districts, creation of; issuance of bonds.....	504
Ashe County, Board of Education, appointment of; selection of Superintendent	369
Asheville, School Board, appointment of members	114
Bertie County, Board of Education, membership increased; nomination and election of	208
Bethany School District, Rockingham County, division into three districts directed	447
Buncombe County:	
School Districts, creation of; school building bond issue, election authorized	266
School supplement elections authorized	200
Burke County:	
Board of Education, nomination and election	394
School districts, creation of; issuance of bonds.....	544
Valdese School District, special school tax election authorized	518
Canton Graded School District, election of trustees	170
Cleveland County, Shelby School District, bond election validated	211
Davie County, Board of Education authorized to reconvey certain property to Fork Baptist Church	644
Edgecombe County, Board of Education, compensation of	213
Franklin County, School districts, creation of; issuance of bonds.....	564
Gaston County, tax levy for local school supplements, election on question of, authorized	601
Gates County, School districts, creation of; issuance of bonds	593
Glen Alpine City Administrative Unit, payment of sums to Unit by Burke County	53
Glenville High School, sale of intoxicants near, prohibited.....	589
Goldsboro Graded Schools:	
Acts of persons purporting to act as trustees validated	437
Trustees, appointment of; powers	436
Greensboro City Administrative Unit, provision for school playground	29
Guilford County:	
Expenditures by Board of Education and Commissioners validated; purchase of land for school playground	29
Old Red Hill Colored School property, Board of Education authorized to sell	106
Halifax County, Board of Education, membership increased; appointment of members	191
Haywood County, Canton Graded School District, election of Trustees	170
High Point City Administrative Unit, provision for appointment of temporary school superintendent	187
Jackson County:	
Glenville High School, sale of intoxicants near, prohibited.....	589
Western Carolina Teachers' College, sale of beer, wine, etc. near, prohibited	455

Schools and School Districts—Continued—

Moore County:	
Hemp Special Taxing District, payment of salary of high school teacher	116
Southern Pines School District, special election on issuance of bonds for school buildings authorized.....	484
Morganton:	
City Administrative Unit, payment of certain sums to, by Commissioners of Burke County.....	53
Graded Schools, Trustees increased; appointment, terms, etc.	559
Northampton County:	
Board of Education, nomination and election of members.....	106
School properties, use of funds derived from sales.....	59
Onslow County, Board of Education, election of.....	133
Pitt County:	
School Districts, advances by county for erection of buildings validated; refunds authorized.....	362
School Districts, creation of; issuance of bonds.....	362
Rockingham County, Bethany School District, division into three districts	447
Rocky Mount, Municipal gymnasium, use by school pupils authorized	8
Rowan County, tax levy for local school supplement, election on question of	601
Sampson County, Board of Education, deficit for school buildings validated; authority for funding deficit.....	400
Shelby School District, Bond election and bonds for school buildings authorized	211
Southern Pines School District, special election on question of bond issue for school buildings authorized.....	484
Surry County, Board of Education, appointment of.....	408
Tryon-Saluda City Administrative School Unit, Trustees, appointment of	303
Valdese School District, Special school tax election authorized....	518
Wake County:	
Board of Education authorized to sell "Academy Lot" located in Apex	396
School Supplement elections, law authorizing, made applicable to county.....	573
Western Carolina Teachers' College, Cullowhee, sale of beer, wine, etc. near, prohibited.....	455
Scotland County:	
Alcoholic beverages prohibited within mile of Wagram.....	204
Fairs, operation of in accord with general statutes lawful.....	427
Second Creek Drainage District , Rowan County, created; appointment and powers of commissioners, assessments.....	556
Second-Hand Merchandise , Purchase, sale and pledging of, regulated, Buncombe County	166
Selma:	
Bonds validated; refunding and funding bonds authorized.....	322

	PAGE
Selma—Continued—	
Mayor and police, jurisdiction extended.....	265
Service Stations—See Filling Stations	
Sewerage and Water Systems:	
Charlotte, Sewerage service furnished to property owners outside city limits	358
Mount Pleasant, Expenditure of funds for completion of system	462
Snow Hill, Sewage tax approved; collection of.....	534
Spindale, Sewer bond proceedings validated.....	276
Wadesborough, Extension and operation of systems beyond corporate limits	461
Shankle, H. L., compensation for loss of personal property.....	647
Sheep, Avery County, Dog taxes used to pay damages by dogs.....	151
Shelby:	
Bond anticipation note validated; funding bonds authorized.....	245
Shelby School District, bond election and bonds for school buildings, validated	211
Sheriffs—See under Particular County	
Siler City:	
City water supply, protection from pollution; fishing in certain waters prohibited	222
Sinking Funds and Commissions:	
Asheville, Sinking Fund Commission created.....	3
Buncombe County, Sinking Fund Commission created.....	3
(Law amended, page 89)	
Wilson Township Sinking Fund Commission, purchases and sales of property validated; authorized to sell or mortgage property	305
Skipper, C. B., Clerk of Superior Court, Robeson County, Reimbursement for funds lost in closed bank.....	614
Snow Hill:	
Sewage tax approved; collection of tax.....	534
Solicitors—See Courts	
Solomon, Harry M., Appointed Trustee of Police Pension Fund, Wilmington	634
Southern Pines:	
School district, special election on question of bond issue for school buildings	484
Southport:	
Delinquent taxes, adjustment of.....	83
Spencer:	
Mayor and Recorder's Court:	
Clerk, appointment of; duties and salary.....	450
Contempt, Recorder's power to punish for.....	451
Costs, additional fees as part of, for Recorder, Prosecuting Attorney and Clerk.....	451
Fees for arrest by salaried officer payable to Town Treasurer	451
Judgments, transcripts docketed in Rowan County Superior Court	451
Prosecuting Attorney, election of; salary.....	496

	PAGE
Spencer—Continued—	
Recorder, salary of	450
Spindale:	
Sewer bonds proceedings validated; issuance of bonds authorized	276
Spring Hope:	
Delinquent taxes, cancellation of penalties, interest and costs.....	374
Stanley County:	
Commissioners, salaries of	542
Fireworks prohibited	446
Fox hunting, regulation of.....	238
General County Court, salaries of Judge and Prosecuting Attorney	569
Recorder's Court, provision prohibiting Recorder and Prosecutor from succeeding themselves, repealed.....	541
Sheriff, salary of	445
Tax Collector, appointment of; powers, duties, compensation, etc.	444
State Department of Conservation and Development, C. N. Mease, re- imbursement for loss of wild life exhibit.....	639
State Highway Commission, Gordon Brooks, compensation for per- sonal injuries	652
State School Commission:	
Broadaway, Ira A., compensation for injuries to and death of children	650
Costner, Ernest, compensation for death of daughter.....	645
Edwards, Isaac H., compensation for injuries to daughter.....	626
Edwards, Joe, compensation for death of daughter.....	635
Hartley, Clarence, compensation for death of daughter.....	650
Hedgepeth, Elmer L., Sr., compensation for death of son.....	621
Hughes, Charlie, compensation for death of daughter.....	622
King, Felix, compensation for death of son.....	638
McCullough, J. W., compensation for injuries to daughter.....	650
Turner, J. E., compensation for death of daughter.....	636
Weant, Scott, compensation for death of son.....	650
Statesville, Mayor, election of; compensation of aldermen; acts of al- dermen validated	646
Stokes County:	
Closed Bank dividends, payment to Clerk of Superior Court where address of depositor unknown.....	493
Fagg, A. J., former Clerk of Superior Court, time for bringing actions on bond of, extended.....	457
Tax sales validated.....	467
Streets and Sidewalks—See under Particular City or Town	
Stroud, William A., former C. S. C., Wilkes County, Acts appointing Trustees of North Wilkesboro Academical and Industrial Insti- tute, validated	623
Summerell, J. A., Acts as Assistant Trial Justice of Currituck County Recorder's Court, validated.....	92
Sunday—See Blue Laws	
Superior Courts—See Courts	
Surety Bonds—See under Particular County	

Surry County:

Board of Education, appointment of members.....	408
Closed bank dividends, payment to Clerk of Superior Court where address of depositor unknown.....	493
Deputy Sheriff, employment as full time officer; salary, powers and duties	299
Jail, regulation of; employment of jailer.....	297
Justices of the Peace, schedule of fees.....	440
Lewellyn, Fred, acts of, as Assistant Clerk of Superior Court, validated	558
Lewellyn, John G., acts of, as Deputy Clerk of Superior Court, validated	558
Moody, Wade C., J. P., probates and acknowledgments of instru- ments before, validated.....	523
Mount Airy Township Recorder's Court, rules as to pleadings and procedure	478
Traffic Court Department created	184
Purchasing agent, tax supervisor and bookkeeper, additional pow- ers and duties.....	84
Tax adjustments authorized; extension of time for tax sales and foreclosures	152
Tax Collectors, appointment of; salaries and bonds.....	84
Tax sales and certificates validated.....	537

Swain County:

County Commissioners, compensation of chairman.....	243
Delinquent taxes, adjustment of; right to pay taxes by notes revoked	243
Livestock Commission created; purchase of animals authorized....	351
Penalties, reduction of on past due taxes.....	351
Sheriff, salary of.....	568
Taxes, levy of, on ability to pay basis; maximum rate; adjust- ment of outstanding bonds.....	320

Swannanoa:

Intoxicating beverages, sale within mile of railway station pro- hibited	367
---	-----

Sylva:

Donation of land to U. S. Forest Service; execution of deed au- thorized	457
---	-----

Swine—See Hogs**T****Tabor City:**

Mayor and Commissioners, election of.....	314
Town Officials, salaries and fees of, regulated.....	391

Tarboro:

Police officers, jurisdiction extended within corporate limits of Princeville	131
Town Commons, power to sell or lease portion for public library building	131

	PAGE
Tax Collectors—See Taxes and Taxation	
Tax Refunds, Commissioner of Revenue directed to make refund of gasoline tax to J. C. Norville.....	606
Taxes and Taxation:	
Aberdeen, Time for paying street and sidewalk assessments extended	435
Ahoskie, Tax foreclosures, delay in, validated	215
Alamance County, Special tax levy for payment of fundings bonds	127
Alexander County, Bonds and notes validated; funding and re-funding bonds authorized.....	280
Collection of delinquent taxes by County Accountant.....	294
Alleghany County, Regulation of quadrennial reassessment.....	228
Ansonville, Tax sales validated; time for bringing tax and assessment foreclosure suits extended	496
Ashe County, Postponement of tax sales validated; extension of time for tax foreclosure suits.....	229
Regulation of quadrennial reassessments; equalization of values	388
Tax levy for retiring bonds.....	327
Atlantic Beach, Levy and collection of assessments for maintenance of board walks, etc.....	398
Aulander, Bonds acceptable for taxes and assessments.....	40
Extension of time for paying street assessments validated; collection of assessments.....	342
Extension of time for tax sales, authorized.....	343
Special tax levy to pay funding bonds authorized.....	385
Special tax levy to pay refunding bonds, authorized.....	384
Tax foreclosures validated; time for foreclosure of tax sales certificates extended	344
Tax sales and tax sales certificates, validated.....	39
Tax sales, conduct of; tax sales validated	343
Avery County, Dog taxes used to pay for damages by dogs to sheep	151
Limitation of tax values of silver foxes grown for commercial purposes	318
Tax collector, extra compensation for transportation, etc.....	300
Ayden, Tax sales validated; time for bringing tax and assessment foreclosure suits extended.....	496
Banner Elk, maximum tax rate raised.....	648
Beaufort, Adjustment of delinquent taxes authorized; bonds acceptable for taxes.....	415
Beaufort County, Compensation of W. A. Blount, Jr., for collecting taxes	117
Payment of taxes to Martin County on land determined to be in Beaufort County, effectual in Beaufort County.....	359
Tax collector directed to collect license tax on dogs.....	156
Tax penalties and interest on delinquent taxes remitted.....	14
Bertie County, Tax sales validated.....	218
Bessemer City, Time for bringing tax foreclosure actions extended	21

	PAGE
Taxes and Taxation—Continued—	
Black Mountain, Adjustment of paving and other assessments.....	23
Bladenboro, Adjustment of tax collector; compensation.....	512
Authorized to remit interest and penalties on certain taxes and assessments	495
Bostic, Tax Assessor, appointment of.....	197
Tax Collector authorized; appointment; powers, etc.....	196
Tax lists, assessments, levies for certain years validated.....	198
Brevard, Bonds acceptable in payment of certain taxes.....	296
Private sale of property acquired through tax foreclosures authorized	169
Transylvania County authorized to remit taxes on property of town, used exclusively for public purposes.....	633
Brunswick County, Adjustment of taxes.....	83
Tax Collector, salary of.....	412
Tax levy for payment of bonds, authorized.....	47
Bryson City, Adjustment and payment of delinquent taxes.....	243
Levy of taxes on ability-to-pay basis; maximum rate.....	320
Buncombe County, Board of Tax Supervision created; powers, etc.	69
(Law repealed and re-enacted, page 253)	
Election authorized on question of tax levy for school sup- plement	201
School districts, special tax levy for school building bonds.....	269
Tax discounts, penalties, payments by installments.....	75
(Repealed and re-enacted, page 258)	
Burke County, Sale of personal property required, before sale of real property for taxes.....	324
Special school tax election authorized for Valdese School District	518
Tax levy authorized to pay funding notes.....	137, 333
Tax penalties, abolished.....	324
Burnsville, Tax exemptions to civic clubs, American Legion, etc.	621
Camden County, Extension of time for tax foreclosures.....	15
Remission of penalties and interest on certain delinquent taxes authorized	159
Tax levy to pay expenses of trial "State vs. McPherson".....	381
Caswell County, Special tax levy for poor, health work, and opera- tion of Superior Court.....	214
Carolina Beach, Adjustment of delinquent taxes.....	224
Collection of taxes by Consolidated City-County Tax Collector	246
Maximum tax rate fixed.....	323
Carrboro, Authorized to use Orange County tax abstracts in levy- ing taxes	339
Delinquent taxes validated.....	339
Tax levies validated.....	287
Carteret County, Adjustment of delinquent taxes authorized; bonds acceptable for taxes.....	415
Catawba County, Adjustment of penalties, interest, etc. on taxes authorized	229

	PAGE
Taxes and Taxation—Continued—	
Municipalities authorized to adjust street and sidewalk assessments	193
Tax Commission created; appointment of members, powers, duties, etc.	80
Charlotte, Adjustment of delinquent taxes, penalties, etc. authorized	560
Tax levy for drainage purposes authorized.....	361
Tax penalty or interest rate fixed.....	561
Chatham County, Tax sales validated; postponement of tax sales validated	28
Cherokee County, Private sale of property acquired by county and municipalities at tax foreclosures authorized.....	566
Chimney Rock Township, Rutherford County, Appointment of tax commission	216
China Grove, Extension of time for payment of special assessments authorized	265
Cleveland County, Shelby School District, Special tax levy.....	211
Tax sales and certificates validated; time for tax foreclosures extended	95
Craven County, Commissioners authorized to defer quadrennial assessment	500
Creation of Central Board of Assessors authorized; powers, compensation, etc.	500
Tax sales and certificates validated.....	51
Davidson County, Appointment of tax collector authorized; powers, duties, compensation, etc.....	448
Davie County, Tax Collector authorized; appointment, powers, duties and salary.....	181
Dare County, Annual tax levy, for fire protection, Roanoke Island Fire District.....	231
Dobson, Tax adjustments authorized; extension of time for tax sales and foreclosures.....	152
Dunn, Property owned for cemetery purposes exempt from taxation	86
Duplin County, Penalties and interest on taxes collected payable to County Treasurer.....	103
Elizabeth City, Tax levy authorized for expenses of fire department	335
Elkin, Bonds acceptable for taxes.....	83
(Law re-enacted, page 174)	
Tax adjustments authorized; extension of time for tax sales and foreclosures	152
Ellerbe, Authorized to accept bonds in payment of delinquent taxes	515
Forest City, Churches relieved of paving assessments.....	94
Forsyth County, Central Board of Assessors created.....	111
Garysburg, Failure to advertise and sell property for delinquent taxes validated; advertisement and sale authorized.....	413

Taxes and Taxation—Continued—

PAGE

Gaston County, Election on question of tax levy for local school supplements authorized	601
Interest on tax sales certificates reduced; settlement of tax sales certificates and tax foreclosure judgments	189
Graham County, Duty of outgoing sheriff to collect certain taxes	32
Granville County, Act relating to collection of delinquent taxes	536
Special tax penalty, authorized	536
Tax sales and certificates validated	438
Greene County, Tax sales and certificates validated; time for foreclosures extended	151
Greensboro, Extension of time for paying local improvement assessments	219
Guilford County, Special tax levy for Welfare Department authorized	167
Hamilton Lakes, Acceptance of bonds for back taxes	288
Harnett County, Appointment of experts to assist in assessment and equalization of property valuations; compensation	443
Time for bringing tax foreclosure actions extended	413
Haywood County, Nomination and election of Tax Supervisor	357
Henderson County, Adjustment of delinquent taxes; employment of collector	96
Hendersonville, Bonds acceptable for taxes	273
Hertford County, Exempted from law relating to redemption of property sold for taxes	223
Hyde County, Commissions of sheriff for taxes collected	227
Extension of time for foreclosure of tax liens and payment of delinquent taxes	283
Preparation of tax books by Register of Deeds	166
(Law amended, page 376)	
Special tax to provide for audits of books of all county officials	153
Iredell County, Assessment of lands in Third Creek Drainage District	554
Office of Treasurer-Tax Collector created; powers, duties and regulations	452
Jackson County, Special tax levy for holding courts	155
Log Cabin Association, lands exempt from taxation	605
LaGrange, Tax sales validated; time fixed for advertising and holding delinquent tax sales	338
Lake Lure, Bonds acceptable for delinquent taxes	239
Revision of tax valuations	217
Laurel Park, Adjustment of delinquent taxes	96
Leaksville, Taxing power prescribed	588
Lenoir County, Establishment of office of Tax Collector authorized; powers, duties, etc.	336
Lilesville, Tax sales validated; time for bringing tax and assessment foreclosure suits extended	496
Macon County, Appointment of delinquent tax collector; adjust-	

	PAGE
Taxes and Taxation—Continued—	
ment of delinquent taxes.....	148
Economic emergency tax relief law, repealed.....	408
Foreclosure of tax liens postponed.....	31
Foreclosure of tax sales certificates postponed.....	14
Revaluation and listing of property for taxation (quadrennial assessment)	99
Martin County, Creation of office of tax collector authorized; compensation of collector.....	371
Payment of taxes to Beaufort County on land determined to be in Martin County, effectual in Martin County.....	359
Time of sale for delinquent taxes extended (applies also to municipalities)	56
Maxton, Extension of time for payment of special assessments....	313
Sales of property acquired under tax foreclosures authorized; sales validated	509
Tax levy for payment of bonds for industrial building authorized, subject to election.....	459
Maysville, Time for foreclosure of certain tax sales certificates extended	35
Mecklenburg County, Adjustment of delinquent taxes, penalties, etc. authorized	560
Collection of taxes by Collector of Revenue; appointment, powers, and duties of collector.....	308
Requirement for annual delinquent tax sales by county and municipalities, eliminated.....	579
Tax penalty or interest rate fixed for county and municipalities	561
Tax levy for drainage purposes within Charlotte authorized	361
Mitchell County, Cancellation of penalties and interest on certain taxes authorized	579
Regulation of quadrennial reassessment of real estate; equalization of values.....	386
Time for instituting tax foreclosure proceedings extended....	580
Moore County, Hemp Special Tax District, Payment of high school teacher from tax funds.....	116
Tax sales, certificates and foreclosure proceedings validated; time for foreclosures extended	98
Morehead City, Adjustment of delinquent taxes authorized; bonds acceptable for taxes.....	415
Morven, Tax sales validated; time for bringing tax and assessment foreclosure suits extended.....	496
Mount Airy, Tax adjustments authorized; extension of time for tax sales and foreclosures.....	152
Mount Gilead, Time extended for payment of street and sidewalk assessments.....	240
Mount Holly, Adjustment of paving assessments.....	101
Church property exempt from paving assessments.....	140
Nash County, Tax levy authorized to pay bonds issued to refund	

Taxes and Taxation—Continued—

Mannings Township road bonds.....	585
Time for tax foreclosure suits extended.....	330
New Hanover County, Adjustment of delinquent taxes.....	66
Tax levy for Community Hospital of Wilmington authorized	442
Tax levy for development and maintenance of Greenfield Park and Playground, etc.....	234
Tax levy to provide appropriations for James Walker Mem- orial Hospital	12
Orange County, Appointment of Board of Assessors.....	324
Reassessment of property and equalization of tax values.....	324
Tax collector, office of, created; powers, duties, salary, etc.	205
Tax listings, sales and judicial proceedings validated.....	176
Pasquotank Drainage District No. 1, Time for tax foreclosure actions extended	27
Peachland, Tax sales validated; time for bringing tax and assess- ment foreclosure suits extended.....	496
Pender County, Adjustment of taxes, law relating to, amended....	335
Collection of delinquent taxes by tax collector.....	233
Tax Collector, bond required of.....	551
Tax Collector, election, duties and salary of.....	109
Perquimans County, Commissions of sheriff on taxes collected....	426
Pilot Mountain, Tax adjustments authorized; extension of time for tax sales and foreclosures	152
Pitt County, Tax levy for retiring special school district indebt- edness to County.....	363
Polkton, Tax sales validated; time for bringing tax and assess- ment foreclosure suits extended.....	496
Richmond County, Appointment of tax assessor; salary.....	434
Roanoke Island Fire District, Dare County, Tax levy for fire protection	231
Roanoke Rapids, Levy and collection of taxes; limitation on rate	63
Robeson County, Tax sales and certificates validated (applies also to municipalities)	160
Rockingham County, Tax collector and assistants, appointment of, salaries, powers and duties.....	577
Tax sales and certificates validated.....	289
Rocky Mount, Tax levy to pay gymnasium bonds, authorized.....	9
Rowan County, Assessment of lands in Second Creek Drainage District	556
Assessment of lands in Third Creek Drainage District.....	554
Election on question of tax levy for local school supplement authorized	601
Klumac Cotton Mills, adjustment of taxes of.....	634
Interest rate on 1936 and subsequent taxes.....	422
Rowland, Extension of time for payment of assessments.....	293
Roxboro, Tax sales and certificates validated.....	162
Rutherford County, Chimney Rock Township, Appointment of Tax Commission	216

	PAGE
Taxes and Taxation—Continued—	
Salisbury, Special tax levy for payment of funding bonds.....	45
Klumac Cotton Mills, adjustment of taxes of.....	634
Sampson County, Appropriations out of taxes authorized for pay- ment of deficit of Board of Education.....	400
Shelby School District, Cleveland County, special tax levy.....	211
Snow Hill, Sewage tax approved; collection of tax.....	534
Southern Pines School District, Special tax levy to pay bonds for school buildings	484
Southport, Adjustment of taxes.....	83
Spring Hope, Cancellation of penalties, interest and cost on de- linquent taxes authorized.....	374
Stanly County, Appointment of tax collector; powers, duties, compensation, etc.	444
Stokes County, Tax sales validated.....	467
Surry County, Purchasing agent, tax supervisor and bookkeeper, additional powers and duties; appointment of tax collector	84
Tax adjustments authorized; extension of time for tax foreclosures	152
Tax sales and certificates validated.....	537
Swain County, Adjustment and payment of delinquent taxes.....	243
Levy of taxes on ability-to-pay basis; maximum rate fixed	320
Reduction of penalties on past due taxes.....	351
Salary of sheriff as tax collector.....	568
Transylvania County, Bonds and notes acceptable for taxes.....	186
Brevard, remission of county taxes on property used exclu- sively for public purposes.....	633
Tyrrell County, Time for tax foreclosure sales extended.....	139
Union County, Appointment of tax collector.....	41
Valdese School District, Special school tax election authorized.....	518
Wake County, Law authorizing school supplement tax elections made applicable to	573
Peddlers' license tax, indigents exempt from.....	100
Special tax for salary of Superintendent of Welfare.....	563
Supervisor of Taxation, appointment of.....	149
Tax Collector, office of, authorized.....	172
Warsaw, Tax levy authorized to pay funding and refunding bonds	421
Watauga County, Commissions of tax collector.....	423
Wayne County, Postponement of quadrennial assessment.....	321
Proceeds from certain tax sales payable into general fund.....	322
Waynesville, Adjustment of paving assessments authorized; re- mission of interest.....	355
Wilkes County, Tax sales and certificates validated.....	537
Wilkesboro, Time for collecting certain taxes and for tax sales extended	241
Wilmington, Adjustment of delinquent taxes.....	66
Firemen's Pension Fund exempt from taxation.....	631
Tax levy for Community Hospital authorized.....	442
Tax levy for James Walker Memorial Hospital.....	12

	PAGE
Taxes and Taxation—Continued—	
Wilson County, Fees of C. S. C. and sheriff in tax foreclosure suits	411
Windsor, Remission of interest and penalties on taxes and paving assessments; bonds acceptable for taxes.....	97
Tax sales, validated.....	218
Winton, tax rate and tax collector.....	648
Wrightsville Beach, Special tax levy authorized.....	407
Yadkin County, County Accountant designated as tax supervisor	315
Moxley, C. E., ex-sheriff, authorized to collect certain back taxes	400
Yancey County, tax exemptions to civic clubs, American Legion, etc.	621
Tax Sales—See Taxes and Taxation	
Taylor, Charles A., Substituted as Trustee in Deeds of Trust for Central Bank and Trust Company, Asheville.....	609
Tenancies—See Farm Tenancies	
Terracing of Lands, Gaston County, law relating to.....	460
Theatres, Cherokee County, operation of on Sunday legalized; regulations	164
Third Creek Drainage District, Rowan and Iredell Counties, created; appointment and powers of commissioners; assessments.....	554
Timber, Law relating to sale of pulp timber on Waynesville watershed, repealed	615
Title to Real Estate:	
Aulander, Town and Bertie County authorized to dispose of or divide property acquired at tax foreclosures.....	270
Beaufort County, Titles to land, determined to be in Beaufort, instead of Martin, County, ratified.....	359
Bertie County, County and Aulander authorized to dispose of or divide property acquired at tax foreclosures.....	270
Charlotte, Title to condemned property vested in city.....	33
Dunn, Title to land held by Board of Cemetery Commissioners vested in Town Commissioners.....	86
Martin County, Title to land determined to be in Martin, instead of Beaufort, County, ratified.....	359
Title to public landing on Roanoke River vested in County.....	44
Wilson County, Title to public library property vested in Board of Trustees	540
Wilson Township Sinking Fund Commission, Title to property acquired validated	306
Tort Claims, Forest City, time limitation.....	93
Tourist Camps, Guilford County, regulation of.....	122
Towns—See Particular City or Town	
Townships—See under Particular County	
Traffic Courts—See Courts	
Transylvania County:	
Bonds, notes, etc. acceptable in payment of taxes.....	186
Brevard, remission of county taxes on property used exclusively for public purposes.....	633

	PAGE
Transylvania County—Continued—	
McCall, T. C., acts of, as Justice of the Peace, validated.....	344
Sheriff, salary of.....	242
Tryon-Saluda City Administrative Unit, appointment of Trustees.....	303
Tucker's Grove Camp Ground, incorporated; regulation of sales of merchandise	423
Turner, J. E., compensation for death of daughter.....	636
Tyrrell County:	
Intoxicating Liquors, sale near Sound Side Freewill Baptist Church prohibited	567
Tax foreclosure sales, time extended.....	139
U	
Union County:	
Alcoholic beverages, sale near certain church prohibited.....	191
Clerk of Superior Court, Register of Deeds and assistants, salaries of	404
County Accountant, salary of.....	313
Deputy Sheriff, appointment of additional deputy authorized.....	34
Liquor store profits, division with municipalities.....	575
Moore, Grover Cleveland, compensation for personal injuries.....	608
Recorder's Court, jury trials abolished; cases transferred to Superior Court when jury trial demanded.....	286
Register of Deeds, clerical assistants authorized.....	58
Tax Collector, appointment of; powers, duties and salary.....	41
University of North Carolina, Trustees authorized to release rights under Bynum will.....	616
Utilities—See Public Utilities	
Utilities Commissioner, Lexington, limitation on salary removed.....	638
V	
Valdese:	
Special school tax election authorized.....	518
Vance County:	
Liquor laws, law relating to enforcement of, repealed.....	597
Merchandise, Sunday sales within certain locality, law prohibiting, repealed.....	467
Recorder's Court:	
Compensation of clerk.....	188
Jurisdiction of stolen goods, law relating to amended.....	340
Recorder, salary of.....	203
Register of Deeds, enlargement of term of.....	215
Sheriff and deputies, salaries and expenses of.....	309
Veterans—See World War Veterans	
Veterinary Practitioners, Knox M. Lewis authorized to practice as veterinarian within Hoke and Robeson Counties.....	621
Vital Statistics, Wake County, Act relating to death certificates for World War Veterans.....	533

Vocational Agricultural Teachers, duties with respect to sale and administration of hog cholera virus, Duplin and Sampson Counties	543
---	-----

W

Wadesborough:

Sewer and water systems, extension and operation beyond corporate limits	461
--	-----

Waggoner, J. M., Acts of, as Notary Public, Rowan County, validated	304
--	-----

Wagram:

Alcoholic beverages within mile of corporate limits, prohibited.....	204
--	-----

Wake County:

Board of Education authorized to sell "Academy Lot" located in Apex	396
---	-----

Board of Health, Law creating, amended.....	59
---	----

Bureau of Identification created; employment of experts; compensation, etc.	502
--	-----

Clerk of Superior Court, salary of Assistant.....	273
---	-----

County Auditor as County Supervisor of Taxation.....	150
--	-----

County officers, salaries of certain public officials.....	122
--	-----

County Supervisor of Taxation, appointment of.....	149
--	-----

Milk Containers, wrongful use of prohibited.....	600
--	-----

Peddlers' license tax, indigents exempt.....	100
--	-----

Public Welfare, appointment of Board members and Superintendent of Welfare; powers, compensation, etc.....	562
--	-----

Consolidation of Wake County and Raleigh public welfare activities	561
--	-----

Recorder's Courts, Liability of County for one-half costs when defendant sentenced to work on State roads.....	394
--	-----

School supplement elections, law authorizing, made applicable to county	573
---	-----

Tax Collector, office of, authorized.....	172
---	-----

Wake Forest Recorder's Court, Qualifications, election, compensation of officials; fees; jurisdiction.....	516
--	-----

Salaries of officials.....	305
----------------------------	-----

World War Veterans, Act relating to death certificates.....	553
---	-----

Wake Forest:**Recorder's Court:**

Fee Schedule	517
--------------------	-----

Jurisdiction, extension of.....	517
---------------------------------	-----

Qualifications, election, compensation of officials.....	516
--	-----

Salaries of Recorder, Prosecuting Attorney and Clerk.....	305
---	-----

Walker, James, Memorial Hospital, Appropriations to.....	10
---	----

Walstonburg:

Railroad Station, name changed to Fieldsboro.....	210
---	-----

Warren County:

Board of Education and County Commissioners, nomination and election of	316
---	-----

Clerk of Superior Court, compensation of Deputy.....	28
--	----

Coroner, salary and mileage allowance.....	434
--	-----

	PAGE
Warren County—Continued—	
County Commissioners, compensation of.....	317
Estate of Sam W. Pinnell, compensation to.....	640
Fox hunting, regulation of.....	541
Grand jurors, selection and terms.....	119
Recorder's Court, salaries of judge and solicitor.....	291
Solicitor of Court appointed Assistant Solicitor of Superior Court; salary	571
Sheriff, travel expense allowance.....	119
Willful obstruction of public officer made misdemeanor.....	569
Warrensville:	
Alcoholic beverages, aldermen authorized to prohibit sale of.....	580
Warsaw:	
Bonds validated; refunding and funding bonds authorized.....	421
Watauga County:	
Justices of the Peace, regulation of practice.....	252
Tax Collector, commissions for collection of taxes.....	423
Water Systems:	
Hendersonville, appointment of member of Board of Water Commissioners	220
Siler City, Act for protection of city water from pollution.....	221
Wayne County:	
Clerk of Superior Court required to collect state process tax as advance court cost.....	262
County Court given jurisdiction of certain misdemeanors; court day changed	326
Fox hunting, regulation of.....	301
Goldsboro Graded Schools, acts of persons purporting to act as Trustees validated	437
Trustees, appointment of; powers	436
Grand Jurors, selection and terms.....	1
Liquor store profits, division with municipalities.....	443
Quadrennial assessment, postponement of	321
Refunding bonds authorized.....	12
Tax sales, proceeds from certain sales payable into general fund	322
Willow Dale Cemetery, investment of funds in bonds of county authorized	607
Waynesville:	
Mayor and Aldermen, salaries of.....	120
Paving assessments, adjustment of; remission of interest.....	355
Pulp Timber, Law relating to sale on watershed, repealed.....	615
Weant, Scott, compensation for death of son	650
Weldon:	
Town Clerk, office of, abolished.....	25
Welfare—See Public Welfare	
Western Carolina Teachers' College, Jackson County, sale of beer, wine, etc. within mile of, prohibited	455
Whiteville:	
Bond anticipation note validated; funding bonds authorized.....	171

Wilkes County:

Coal and coke, regulation of sale of.....	581
Intoxicating liquors, sale prohibited near certain churches and school	179
North Wilkesboro Academical and Industrial Institute, appointment of Trustees validated.....	623
Tax sales and certificates validated.....	537

Wilkesboro:

Taxes, time for collection of certain taxes and tax sales extended	241
--	-----

Williamson, G. T., entitled to firemen's pension, Wilmington.....	625
--	-----

Willow Dale Cemetery Fund, Investment in bonds of Goldsboro and Wayne County authorized.....	607
---	-----

Wilmington:

Community Hospital, tax levy and appropriation to for care of indigent sick	440
Delinquent Taxes, adjustment of	66
Firemen's Pension Fund created; Board of Trustees, management, etc.	626
(Law amended, page 625)	
James Walker Memorial Hospital, annual appropriation to.....	10
Liquor store profits, division between city and New Hanover County	428
Police Pension Fund, appointment of Trustees.....	634
Police radio system, installation of, authorized.....	409

Wilson County:

Carnival or circus, showing or advertising within ten days prior to or during County Fair prohibited.....	358
County Commissioners, nomination and election of.....	178
General County Court, records required in petty misdemeanor cases	529
Grand Jurors, selection and terms.....	182
Liquor store profits, division with municipalities.....	598
Milk containers, wrongful use of prohibited	600
Public library, establishment and maintenance of.....	538
Sheriff, rights and powers of with respect to jail and prisoners	550
Tax foreclosure suits, fees of Clerk of Superior Court and Sheriff	411
Wilson Township Sinking Fund Commission, purchases and sales of property validated; authority to sell or mortgage property	305

Wilson, Town of:

Bonds, issuance of for financing undertaking for promotion of industrial enterprise	474
Public library, appropriation for.....	538

Windsor:

Bonds acceptable in payment of taxes and paving assessments.....	97
Delinquent paving assessments and taxes, remission of penalties and interest on.....	97
Tax sales validated.....	218

Wine—See Alcoholic Beverages

	PAGE
Winston-Salem:	
Liberty Graveyard, removal of portion of.....	501
Winton, corporate limits extended; provision for chief of police as	
tax collector, repealed; tax rate.....	648
World War Veterans, Act relating to death certificates, Wake County	553
Wrestling—See Boxing and Wrestling	
Wrightsville Beach:	
Liquor store profits, division between Town and New Hanover	
County	428
Special tax levy authorized.....	407
Y	
Yadkin County:	
Bank depositories designated; regulation of deposits by county	
officials	315
Fireworks prohibited	299
Moxley, C. E., ex-sheriff, authorized to collect certain back taxes	400
Poultry, regulation of purchases for resale.....	382
Register of Deeds, election of; term enlarged	599
Tax Supervisor, County Accountant designated as.....	315
Yancey County:	
Civic Clubs, American Legion, etc., tax exemptions to.....	621
Intoxicants, sale of prohibited.....	542
Special Deputy Sheriff provided for; compensation.....	356
Treasurer, office of abolished; duties of Treasurer imposed upon	
Accountant	528
Young Men's Christian Association, Asheville, charter amended	610

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